

*Also:*

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Controls K. C. Schools

Jefferson Bank Dispute  
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The Art of  
LeRoy Neiman

Irving Dilliard on  
Historical Writing

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# OUT

## OF FOCUS

(Readers are invited to submit items for publication, indicating whether the sender can be identified. Items must be fully documented and not require any comment.)

"NWO FACWW . . . if those initials sound like gobbledy gook that is exactly what it is . . . it stands for 'Negro Women Organize Fight Against Candidates With White Wives.' . . . Seems as though Negro ladies are furious over the increasing number of Negro men in public life with white wives . . ."

From The Chicago Daily Defender

Guide Rahr of Manitowoc, Wisconsin, board chairman of Rahr Malting, was honored at a national awards dinner in Washington early this year by the National Wildlife Federation and the Sears, Roebuck Foundation as the 1966 Conservationist of the Year. On February 22, 1967 the Federal Water Pollution Control Administration charged that Rahr's company was among the six worst sources of pollution on the upper Mississippi river.

Henry Hazlitt, and other conservative economists, recently resurrected the suggestion that voting should be weighed according to taxes paid. In a letter to the *Chicago Daily News*, Frank L. McArdle of Des Plaines agrees. As a base he recommends the sales tax as a percentage of income. Those with the highest tax percentage get the most votes.

From a fund-raising letter by Lestern Buttram, president and founder of the Gospel Tract Society at Lee Summit, Missouri. "Every morning at ten, as our staff gathers in the Prayer Chapel, we usually leave weeping because of so many letters and prayer requests that come . . . From a friend in Michigan: 'Do pray for our Sunday School teacher who stood in front of our class last Sunday and said she played cards in her home and saw nothing wrong in it.' . . . the same mail brought the same old story, ' . . . won't you pray for our fast dying church. It has gone from 50 members to 10, and only two of these are men.'" (Many of Buttram's tracts have racist and rightist connotations.)

According to the Anti-Defamation League 66 per cent of 1152 city and country clubs practiced religious discrimination. In 1962, 691 discriminated against Jews, while today clubs which discriminate total 665.

A 1931 anti-war poem by E. E. Cummings recently was the subject of two hearings by the Arizona State University Discipline Board and was considered as the subject of a prosecution under the state's obscenity and "flag defamation" laws. The poem, "I sing of Olaf glad and big," speaks kindly of a conscientious objector. For distributing it three students were charged with "conducting oneself in a manner that might discredit the university." No disciplinary action was taken.

The editors of *Liberation* magazine report, "According to Chemical and Engineering News, a publication of the American Chemical Society, the Soviet Union has sold 2,200 tons of magnesium to The Dow Chemical Company. Dow has been one of the major suppliers of napalm and other incendiary weapons to the U.S. armed forces. Magnesium, well known as a war metal, is used in incendiary bombs, flares and heat-seeking missile-decoy devices."

The *Yakima Eagle*, an ultra-conservative weekly in the Eastern Washington State area, "exposed" as a Communist technique the movement to "erase the floral wreaths from the list of funerary mementos" and replace it with contributions to various charities. Another article depicted how Communist countries used on their postage stamps variations of circle and cone symbols, which the editors claim come from secret societies as sex symbols. A third article explained the Communist symbolic use of sun and fire. Four days later the owner of the *Eagle* purchased another weekly and announced he would retain its name — *The Sun*.

Two avowed Birch candidates for the Kansas City Council received between 17,000 and 18,000 votes in an area believed to have only 100 to 200 Birch members. (They were defeated about 2½ to 1.)

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## Letters

### Timely, Informative

F/M: ... FOCUS/Midwest is timely and most informative and I am hopeful it will be widely read.

*Cavanas Scoby*

Librarian

Carterville Public Library

### Need Political Action, Not Paint

F/M: Work camps that send middle-class whites into run-down city areas to work with the residents in painting and repairing tenements often do more harm than good. Although well-intentioned, the activities are appropriate for the small town rather than the present day metropolis. Since many of the residents sincerely appreciate the fresh paint job or new curtains, the harm done is not often realized by the benefactors. After a flurry of activity, the suburbanites go home and back to their everyday lives.

The work camp encourages an attitude of dependence in those who should be stimulated to protest and action. The suburbanites feel paternalistic, rather than guilty about their responsibility for the existence of the ghetto. To be sure, work camps bring middle-class whites to an area they would not see otherwise. Cooperation does result and friendships are formed. Although it may be that the personal experiences of the work camp may somewhat reduce prejudice, at least temporarily, Negroes are more interested in preventing whites from enforcing the prejudices they do have.

Since the residents of the ghetto seldom own their residences, the paint job is merely a temporary benefit which actually benefits the landlord. As a result of the work the value of the property may be increased enough for the landlord to raise the rent.

Political action is what is needed in the ghetto. Rather than help in painting and repair, the residents can benefit much more from training and assistance in political action and dealing with landlords, employers, and other huge bureaucratic organiza-

tions. Discriminatory zoning, unequal tax structures, and lending practices should be discussed. A better activity than painting would be a joint campaign to engage in nonviolent action—both in the city and the suburb. Housing segregation or school segregation would be appropriate objects for action, for school age youths. Of course the sight of Negroes and white children ringing neighbors' doorbells may be disturbing to some. Since inner city residents know more about nonviolent action, they will become the active forces in such projects rather than passive recipients of aid. They will be challenged to use their imagination, ability, and best salesmanship to educate and persuade first the "work campers," then together the residents of the community. Metropolitan problems must be dealt with on a metropolitan level. This means politically by groups, not privately or individually. Involvement of more people in the process is needed.

*Charles Lewis*

Indiana

### Re: Lincoln University

F/M: The following telegram was sent to Gov. Warren E. Hearnes following the Lincoln University disturbances:

As a former (1963-65) Lincoln

faculty member, I earnestly request that you determine what happened to a proposal for a combined remedial and vocational-technical education program which has been bucked around the state for more than three years without ever having been given fair and objective consideration. The program is the best long-range solution to many of Lincoln's problems, I believe.

Let me suggest that torn screens, defective plumbing, cold soup, and the other recently much publicized student complaints in this general category are not the basic problems at Lincoln. My fear is that the screens will be patched, the plumbing will be fixed, and the soup will be heated, and your concern will end. These are not really solutions, I believe, and they will serve only to hide far more basic and important problems underneath. These problems are stated in detail in the proposal referred to above. I respectfully ask that you give it your attention as you work toward a resolution of Lincoln's present difficulties . . .

*Richard Martin*

Assoc. Prof. of Journalism  
Southwestern State College  
Weatherford, Okla.

### The Liberal Position

F/M: . . . You have treated the ambivalence of the non-apocalyptic liberal with good sensitivity ("The Liberal Position" by James Hitchcock, Vol. 5, No. 34.) . . .

*John R. Roche*

Special Consultant  
to the President

luncheon, 11 to 4 p.m.  
dinner, 4 to 10 p.m.  
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to 2 a.m.

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**DOWNTOWN CHICAGO**



## Lincoln University Erupts

Not many days had passed after publication of Peter J. Kellogg's uncannily prophetic article "Near Tyranny at Lincoln University" when student disturbances erupted on the campus.

In another article, *FOCUS/Midwest* had warned educators and officials as early as last November about conditions at Lincoln University. Every legislator had received complimentary copies of the last issue before the spontaneous riots in the cafeteria, the student march on the capitol, and the class boycotts. For once no Missouri legislator could plead ignorance.

Following the disturbances, the *St. Louis Post-Dispatch* commented editorially:

### UNIVERSITY GOING NOWHERE

Today's *Mirror of Public Opinion* article suggests that there is a good deal more wrong with Lincoln University than the food in the cafeteria or the condition of the dormitories, two matters which prompted recent student demonstrations.

In an article written for *FOCUS/Midwest* months before the demonstrations, Peter J. Kellogg, a former teacher at Lincoln, charges the university administration with an unimaginative, uninspired and repressive attitude toward faculty and students alike. An earlier article in the same magazine by Charles Young, a St. Louis alumnus, noted that Lincoln, alone of state schools, had no development plan, had no planning body, had neglected to build new dormitories though these could be federally financed, and had not grown.

Somewhere along the road of educational integration and growth, Lincoln seems to have lost its way. A decade ago the problem was whether to keep the university for Negroes open (and open to all); that was solved because the state needed all the collegiate facilities it had. But the Lincoln administration appears to have gone on behaving as if the issue were its own and the school's existence, not progress. Lincoln has continued to exist, and evidently has not progressed.

In two years President Earl Dawson will retire, which should permit a substitution of more vigorous leadership. Meanwhile the state, which is to say the Governor, Legislature and Commission on Higher Education, ought to be considering what Lincoln should become. It should become better. There is no necessity for destroying its Negro heritage but surely integration can be made meaningful rather than a matter of statistics. And if Lincoln also must continue to serve "culturally deprived" students then remedial programs for these must be strengthened so that there is more room for the pursuit of excellence.

It is saddening that the state let a student eruption call its attention to the plight of Lincoln University. From now on the necessary leadership should come from the state government, if it cannot be expected from the university administration itself.

Meanwhile, negotiations between the students and the university administration have been in progress. The students pared down their demands to those which could be implemented immediately, without large outlays of money. In doing so, they displayed a commendable measure of self-discipline. Their requests covered civil liberties, student regulations, the food and the dorms. On April 8, they were given 20 minutes to present their list to the Board of Curators.

The administration then appointed a faculty committee of eight to receive the demands and make recommendations which would be acted upon by the University.

A few, significant recommendations have

been adopted by the University. Unfortunately, others of greater importance, particularly in the field of civil liberties, were not granted, as the following summary shows:

The faculty committee recommended and the administration approved: all requests on improvements in cafeteria service and quality of food; the use of school facilities at all times; improvements in the upkeep of restrooms and the repair of television sets; and the installation of fire extinguishers in all dorms and other buildings.

The faculty committee recommended but the administration is still considering: elimination of student attire regulations; smoking permission for both sexes in all places in accordance with fire regulations; increased protection against night prowlers; the issuance of keys to women over 21 and seniors under 21 with parents permission; and the discontinuance of searching student rooms at any time without permission.

The faculty committee and the administration are still considering the appointment of a curriculum evaluation committee; the University joining the Jefferson City Council on Religion and Race; and the opening of libraries on weekends.

Unfortunately, the faculty committee and administration turned down demands for the abolition of the rule that students can be dismissed at any time for action "not in the best interest of Lincoln University;" for the abolition of censorship of the student newspaper; that the personnel office will not approve discriminatory housing; that student representation on standing committees be equal to that of the faculty and that they be elected; that the administration will adhere to statements on academic freedom by the American Association of University Professors; and that a faculty-student Civil Liberties Board be formed to hear complaints of violation of free speech.

Three distinct civil liberties areas where the administration has reacted negatively deserve reconsideration: They are freedom of expression, freedom from arbitrary dismissal, and freedom from arbitrary search.

While changes in food and living conditions might improve, the prevailing atmosphere of intimidation and frustration will not begin to change unless these freedoms are granted.

More important, it should be remembered that all these student demands are labeled "immediate." But even the more fundamental deficiencies might be redressed before long. Gov. Hearnes' helpful appointment of Kansas Citian Lewis W. Clymer to the nine-man Board of Curators gives the edge to the progressives.

## Air Pollution Fight Getting Hotter

Missouri is moving briskly ahead in enacting effective and meaningful air pollution controls at city, county, and state levels. The same cannot be said of Illinois.

Shortly after the Illinois Air Pollution Board denounced as unrealistic Missouri's adoption of a two per cent sulfur limit on coal, the U. S. Government's National Center for Air Pollution Control recommended that the sulfur dioxide concentration in the ambient air be reduced *even further* than can be expected under Missouri's two per cent limit. In contrast, it is not known publicly whether Illinois is considering *any* limit.

In a different pollution aspect, Illinois newspapers bought the line that "drastic curbs" have been enacted on particulate mat-



ter from the fuel-burning operation. Compared to the St. Louis ordinance, the Illinois regulation appears to be weak and inadequate. Illinois provides that new equipment with a capacity of 1,000 or more pounds of trash per hour must not emit more than 0.35 grains. St. Louis provides an 0.2 limit for new and old incinerators with a capacity of 200 or more pounds. All others are limited to 0.3 grains.

There is little doubt that Missouri and Illinois policies are on a collision course. In fact, they have already collided and Missouri Governor Warren E. Hearnes has threatened to invite federal intervention. The same controls on both sides of the St. Louis airshed are essential to safeguard the economic health of the entire region.

As a result of an earlier federal abatement conference conducted in Kansas City, a Missouri-Kansas compact has come so much closer to enactment. Currently, the interstate compact may still be passed by the Missouri General Assembly although it appears to be dead for this year in Kansas. However, if Missouri passes the measure, the chances are greatly enhanced that Kansas will consider the measure favorably next year. While Kansas was bickering and delaying the bill, the New York-New Jersey area is taking national honors for being the first to enact an interstate air pollution compact with federal participation.

In St. Louis, meanwhile, Mayor Alfonso J. Cervantes has appointed former Alderman Peter L. Simpson as the City's chairman of the Appeals and Variance Board created under the new air pollution control ordinance. Simpson is an excellent choice. He sponsored a strict ordinance at a time when many (including FOCUS/Midwest) thought it was a well-meaning attempt which would never be enacted.

In Missouri, the coal industry in conjunction with electric utilities has launched a major counter-attack against the Missouri Air Conservation Commission. They are sponsoring a weak Illinois-Missouri compact in the Missouri legislature which is worse than no control measure.

Although only the St. Louis area is immediately affected by the Missouri Commission's ruling, industry and utilities from throughout the state have rushed into combat. The utilities are complaining to the Missouri Public Service Commission that the control regulations would increase cost and prices. In fact, Union Electric threatened to build two plants outside Missouri, and the Joplin electric utility has voiced a similar threat.

So what? It may not be a bad idea at all if utilities with their emissions of dirt and pollution would be built away from major residential areas. The invisible cost of pollution probably exceeds the loss of taxes. Mis-

souri is such a low tax state that these insignificant losses could easily be compensated for from other sources.

Our status report on air pollution control is not encouraging. In Missouri, industry hopes to shake the Governor's resolution to clean up pollution. In Illinois, it is obvious that the key control authority does not hold public health in the same high regard as industrial profits. The latest stalling action — another study. This time the Illinois Board is seeking funds to research the economics and availability of low sulfur coal.

And so it goes.

## Hysteria on the Air

ANY morning in St. Louis and the surrounding countryside, the early riser can avail himself of a mixture of religion and hysteria through the 50,000-watt efforts of a small radio station located in Festus, Missouri. Beginning at 7:15 a.m. one can enjoy the fulminations of Carl McIntire's "Twentieth Century Reformation Hour," as he inveighs, for a full thirty minutes, against the National Council of Churches and occasionally, the Roman Catholic Church. Next, Billy James Hargis castigates the Internal Revenue Service (which has recently revoked his status as a tax-exempt religious organization) and hints at dark conspiracies undermining the morals of American youth through music (he is peddling a piece called *Rhythm, Riots and Revolution*). At eight o'clock, H. L. Hunt's *Life-line* takes to the air, followed, after a fifteen-minute break, by St. Louis' own Rev. Bill Beene. At nine, one is treated to the "News Analysis" of Rev. W. S. McBirnie of Glendale, California.

There are two questions which should be asked: How large is the audience? How much money is being spent? (For example, Bill Beene, never one to ignore a fad, recently offered to contributors of five dollars or more — along with packets of literature — a tear gas gun for use when the revolution breaks out.)

Each of the programs must attract at least enough in contributions to pay for the radio time. The audience can, therefore, be measured in terms of the cash proceeds. The amount of money involved for all programs of this nature adds up to a significant sum, both from the standpoint of absolute dollar values and in terms of per capita expenditures.

It costs about \$25 for a fifteen-minute time slot on a St. Louis radio station which caters to programs presented by Beene and others. These programs are not sponsored by advertising. Rather, they are intended to stimulate the listener to send money to keep the program on the air. No program will stay



on the air unless it produces sufficient revenue to pay the costs. Such costs must include the cost of air time and other expenses, as well as enough income for the personality on the program to make the whole effort worthwhile.

Therefore, the "annual cost" of air time represents a *minimum dollar flow*. Actually the "take" is somewhat greater. Keeping this in mind, the minimum dollar amounts obtained via radio in St. Louis is as follows:

Program	Days/Week	Min./Day	Annual Cost
Twentieth Century Reformation Hour (Carl McIntire)	6	30	\$15,600
The Birch Report (Robert Welch)	1	30	2,600
Life Line (H. L. Hunt)	5	15	6,500
Bible Revival Hour (Bill Beeny)	5	30	13,000
Christian Crusade (Billy James Hargis)	5	15	6,500
Voice of Americanism (W. S. McBurnie)	5	15	6,500
Manion Forum (Clarence Manion)	5	15	6,500
TOTAL			\$57,200

To this total, must be added other Radical Right expenditures, such as sales of materials in right wing bookstores, paid attendance at meetings featuring radical right speakers, individual contributions, dues paid by John Birch Society members, and money taken out of the community by such "special events" as fund raising ventures by McIntire, Hargis, and Dr. Fred C. Schwarz. It is reliably estimated that the Radical Right in St. Louis is responsible for a dollar flow of approximately \$100,000 annually.

As we go to press, we learn that Richard Cotten, another fright peddler, noted for his undisguised anti-Semitism, has returned to the St. Louis air, thus adding another 75 minutes to the weekly dose of auditory pollution in the 7:00 a.m. time slot. Cotten is noted for his assertion that the NBC, ABC, and CBS networks are part of the Communist propaganda apparatus.

## Rev. Wurmbrand, New Apostle on the Right?

**F**OCUS/Midwest has received a number of inquiries about Rev. Richard Wurmbrand, a Lutheran minister, who has been making many speeches under various rightist auspices. We believe the following information speaks for itself.

Pamphlets distributed by Rev. Wurmbrand state that he was imprisoned twice for a total of 14 years in Rumania, is a Doctor of Theology and past professor of the Old Testament in the Seminary of Bucharest. He was released in 1964, "ransomed for \$7,000 and allowed to leave." In May 1966, Rev. Wurmbrand testified before a U.S. Senate Subcommittee about Communist persecutions. He now serves, it is claimed, as "overseas director of Underground Evangelism."

A rightist magazine published in Wisconsin states that Richard Wurmbrand was born a Jew and converted to Christianity.

Since coming to the United States he has not established contact with any of the jurisdictional offices of the Lutheran Churches. It is suspected that he is in fact attempting to arouse dissatisfaction within the Lutheran Church.

In America he has been sponsored by the Chicago Church of Christian Liberty, a congregation composed of right-wing dissenters from the Lutheran Church. A check on the minister's activities show that he appeared twice on the ultraconservative Manion Forum and that "Life Lines" used his testimony before the Senate Subcommittee. He has also been shepherded by the Birchite American Opinion Speakers Forum and the Cardinal Mindszenty Foundation.

Wurmbrand was originally invited to the World Congress on Evangelism in Berlin organized by Western evangelists including Billy Graham. This invitation was later withdrawn. The Rumanian minister found the position of the Berlin Congress "scandalous" for ignoring Communism and its persecution of religions. The Congress includes delegates from Communist countries and adoption of Wurmbrand's position would destroy the Congress in its present form.

Rev. Wurmbrand was uncompromising. All obstacles to evangelism should be discussed, he insisted. "These hindrance may be Universalism, or Mormonism and other things like this, but the greatest hindrance is surely Communism." A certain lack of the ecumenical spirit is also evident in his insistence that evangelization of the world includes "fighting any other false doctrine."

## Essays Now Being Judged

**W**e expect to announce the winning essays submitted to the "National Essay Invitation on the Triple Revolution" in the coming issue. The essay invitation, sponsored by Teamsters Local No. 688 (St. Louis) in cooperation with FOCUS/Midwest to evaluate the findings of the "Triple Revolution Report" and offer solutions to the problems raised, has brought manuscripts from throughout the country.

Currently, the following scholars are judging the manuscript: William Gomberg (Wharton School of Finance and Commerce, University of Pennsylvania), Michael Harrington (League for Industrial Democracy), Robert J. Havighurst (University of Chicago and University of Missouri at Kansas City); Irving Louis Horowitz and Irving Sobel (both at Washington University).

FOCUS/Midwest plans to publish the winning essays in a special issue which, we hope, will serve to enlarge the dialogue on the future of American society.

(Editorial Continued on Page 32)



# Chicago Police Assume Political Role

David A. Satter  
and Louis Michael Seidman

Before Orlando Wilson arrived on the Chicago scene ten years ago to take over one of the nation's most corrupt departments, local wits used to refer to the Outer Drive as Chicago's last outpost of collective bargaining.

The days when you couldn't tell the cops from the robbers appear to be over, but Chicago's corps of law enforcers still manages to find ways of getting itself in trouble.

Currently, they are on a war footing with most of Chicago's liberal community over a rash of raids on community organizations and churches that have been working with the city's poor.

In the early-morning hours of last July 15, the police moved in on the home of Frederick (Doug) Andrews at 3838 W. Jackson Boulevard. Within minutes, they arrested Andrews and twenty-two of his friends, confiscated some civil rights leaflets and drugs, and herded the suspects with the "evidence" to the station house. Although Andrews, a leader of ACT, an obscure but militant civil rights group, was eventually tried for disorderly conduct, the original arrest slip charged him and his friends with conspiracy to commit treason, possession of marijuana, unlawful use of a weapon, and keeping a disorderly home.

The police later stated that they based this impressive battery of charges on the cache of revolvers, pistols, weapon instruction sheets, and marijuana which they said were uncovered in the raid and because an anonymous informant had told them that ACT was now being used as an arm of the Revolutionary Action Movement, an even more obscure and more militant group. The raid itself followed another anonymous tip that Molotov cocktails were being prepared in Andrew's home.

Coming as it did in the midst of last summer's West Side rioting, such strong-arm tactics were perhaps understandable, and if Andrew and

his fellow conspirators were indeed guilty of plotting to commit treason, they might even be justifiable. But law enforcement officials themselves acted quickly to remove any doubts that Chicago's municipal government was being threatened by a coup d'etat. State's Attorney Daniel P. Ward immediately asserted that the "police had no authority from this office to lodge that (conspiracy) charge" and the accusation of treason was quietly dropped.

Indeed, by the time Andrew finally reached trial in January, the charges had been graded down further. He was only accused of encouraging others to throw rocks and bricks. The jury decided that Andrews was not even guilty of that.

It is becoming difficult to excuse such police-state tactics as exhibited in the Andrew case as exceptions, when other incidents are considered.

## JOIN AND UP RAIDED

On the evening of September 1, 1966, a squadron of crowbar-wielding state narcotics agents napped five members of JOIN (Jobs or Income Now) and UP (United People), two North Side community organizations, in two separate raids staged in the heart of Uptown, Chicago's dismal Hillbilly Harlem.

The five were charged with possession of narcotics. But friends and colleagues insist that Reverend George M. Morey, Jack A. Hollenbeck, Richard Rothstein, Mickey Birger, and Melody James were only trying to organize a community of defeated people to help themselves. JOIN and UP have been organizing Uptown's refugees from the Appalachian coal fields into a community union. It was public knowledge that the groups had charged that the Chicago police have no sympathy for Uptown's poor.

The raids were ordered by Robert Kahn, a narcotics inspector, acting on advice from an informant who allegedly sat at the dinner table of Judge Kenneth Wendt and swore that he used needles and smoked marijuana with the defendants at JOIN. The informant's name was Richard Trunce—that's what the police said. Judge Wendt thought the name was Truance, and chief vice officer Daniel Pappas thought it was Truence. At JOIN headquarters, no one knew Trunce, Truance, or Truence.

Richard Rothstein charged that the evidence was planted by the po-

lice. He further insists, the police have a way of producing narcotics informers who are willing to say anything they are told.

The morning before the raids members of JOIN had found the front door to their headquarters unlocked. UP members also found that someone had broken in during the night. Reverend Morey told a *Chicago Sun-*

The defendants were all found not guilty but the time and money invested to fight the indictments were real. So was the damage to JOIN and UP headquarters as a result of the raid. Rothstein said that police almost completely destroyed the JOIN office. Desks, chairs, and other furniture were smashed. "They were having a gay old time of it," said Rothstein, "one of them was laughing while he smashed our air conditioner."

Community organizations and civil rights groups weren't the only places raided last summer. Over 120 teenagers were arrested in mid-September raids on two churches. Subsequent raids, by police on churches have inspired *Chicago Daily News* columnist Mike Royko to suggest that what Chicago really needs is an "Operation Steeple Stop" to protect the city from its ministers, priests, and rabbis.

## CHURCHES RAIDED

The September raids primarily involved the Emerald Avenue Congregational Church, one of several Presbyterian churches working with Negro youth gangs in Chicago's South Side slums. The church's pastor, Clyde Allison, said after the raids that Police District Commander Harold Miles had broken faith with him and that the youths should never have been arrested because they were congregating in the church with the intention of meeting with the police to discuss community problems.

Two months after the raid on the Emerald Avenue Church, another church was raided, the Presbyterian First Church of Woodlawn, which has been the center of a Woodlawn controversy because of its relations with the Blackstone Rangers, Chicago's largest and most notorious street gang. The Church has repeatedly collided with those who believe that the Rangers should be broken up and dealt with severely.

The First Church had offered its facilities to the gang and encouraged them to remain together. The Church was also working to have the Rangers

turn over their weapons. Harold Walker, the assistant pastor, said that police officers were present on July 4, 1966 when over 100 weapons ranging from machetes to zip guns were put in a safe on the first floor of the church and an inventory of the weapons was signed by the police. According to Walker, that inventory was confiscated by the police on the night of the raid and never returned. "It was our belief," Walker said, "that this whole episode was aimed at discrediting our relations with the Blackstone Rangers. The police knew the weapons were there."

Whatever the reason for the raid, the police have never made any secret that they take a dim view of the Church's work with the youths. The police would prefer to arrest the leaders of the Rangers and break up the gang.

### SNCC RAIDED

Carol Redmond, wife of Chicago Area Student Non-Violent Coordinating Committee director Monroe Sharp, was arrested on narcotics charges last December. The Sharp home, which doubles as SNCC headquarters, was raided by the police without a search warrant at the behest of still another anonymous citizen. According to arresting officers Fred Martinez and John Doyle, police entered the apartment after a man told them that his female companion had gone in and not come out. The police entered the apartment at Mrs. Redmond's invitation, they say, and happened to find a syringe lying around. Later the police charged that they found \$5,000 worth of marijuana as well as some innocuous drugs which, Mrs. Redmond claimed, were for her asthmatic daughter. They also found some black power literature. SNCC leaders subsequently claimed that they had been expecting a raid which alone would have kept them from keeping incriminating drugs in the apartment-office.

### PEACE PARTY RAIDED

The Chicago police have not limited themselves to harassment of little-known Negro leaders. Another raid was directed against a party to raise money for the Spring Mobilization against the War in Vietnam, held at the home of Arnold Abrams, an associate professor of psychology at DePaul University, well-known in his field. Among the nineteen arrested was Maxwell Primack, a professor at the Illinois Institute of Technology, and an unsuccessful peace candidate

for the United States Senate in last fall's election.

Several undercover agents entered the party as guests (of course, without a search warrant) and when things got "suspicious" they called for reinforcements, which promptly arrived in the form of more than a score of squad cars. Police arrested Abrams and his guests on charges of assaulting a police officer, resisting arrest, and serving liquor to minors.

Although Abrams has vigorously denied all the charges, the crux of the matter lies beyond the question whether or not liquor was actually being served. If the police would raid all the private parties in the neighborhood serving liquor to minors, they would hardly have time to direct traffic. But they do not raid all parties, they jumped only a "peace" party.

### LATEST RAIDS

The latest raids occurred this month. The first was on the Wellington Congregational Church at 615 W. Wellington. The pastor, Rev. James Shiflette, was picked up for showing a film without a city permit. The second raid involved the Holy Trinity Lutheran Church at 48th and State. The police claimed that they found two empty whisky bottles in the women's washroom and one empty wine bottle. The wine bottle formerly contained wine for communion. The whiskey bottles were placed in the washroom by the police, believes the church's pastor, Reverend Larry Morkert.

Morkert was arrested and charged with contributing to the delinquency of minors — because minors were on the premises.

Morkert is one of the growing number of Protestant clergymen who see the future role of the Church as a force for social change in the slums of Northern cities. Morkert has opened the Holy Trinity Lutheran Church to teenagers from nearby Du Sable High School and the Church has become a meeting place for college students who tutor high school and programmer school students in reading and math.

Morkert told columnist Mike Royko, "as far as I can determine this is simple police harassment. They don't like the fact that we're working in the community, advising people of their rights, giving the young a place to go and get together. The commander of the district even told me that I shouldn't open the church during

the day and that I should boot them out."

While it is known that Police Commissioner Wilson is out of sympathy with political activists, nothing has come to light which would indicate that police raids have been ordered by anyone higher than the district commander. Also it is true that the Chicago police face a persistent and increasingly insidious problem of narcotics and weapons control. Community organizations, because of their work with street gangs, become automatically suspects.

But orders from top are not necessary. The police have always tended to distrust activist groups. As Jay Miller, executive director of the Chicago American Civil Liberties Union has observed, "It's usual for the police to be looking for anything unusual. They are a fairly conformist group, and they act on the basis of their prejudices. They know that their superiors don't like these people, and they act accordingly. They reflect the mood and tone of the entire city. They are tired of people being different than they are."

The fact that there appears to be no organized plot against dissenters in no way makes the unrelenting harassment less reprehensible. Political agitators are usually disliked if not hated. Law enforcement officials have a special obligation to protect them against persecution. If such authorities, instead, add to the abuse, they are defiling the democratic system.

Countermeasures open to victims might be suits for illegal arrests (if they have the necessary funds) and publicity. A number of ACLU attorneys are organizing "Citizen Alert," which will serve as an independent and unofficial arbiter of police action.

Unfortunately, the usual social control from illegal search and seizure—that the evidence thus obtained is inadmissible in court—breaks down in cases where the police are interested in harassment rather than conviction. As Miller has pointed out, "What do the police care whether the case sticks or not. They've already had a hell of a time harassing these people."

*David A. Satter and Louis Michael Seidman are students at the University of Chicago. Satter is the editor and Seidman the news editor of the Maroon, the University's student paper. Satter has been published in the New Republic and other magazines.*



## Bi-Partisan Collusion Controls School Board

IRVING ACHTENBERG

Free and open elections to the School Board are denied Kansas Citizens.

In Chicago, members are appointed by the mayor. In St. Louis, they are elected. In Kansas City a bi-partisan system has evolved which is as "appointive" as in Chicago, but on the surface resembles the "elective" approach followed in St. Louis.

Political parties initiated a practice forty years ago that has been followed in each of the 20 school board elections since. Party committees each nominate a member of their own parties and then furnish the candidate's name to the other party's committee. Whereupon, each cross-nominates the other party's candidate. In the last 20 school board elections, only two independent candidates have filed for the office and neither won a seat.

In 1964 such a candidate was Dr. Carl M. Peterson, a surgeon and a

former curator of Lincoln University. He received more than 9,000 endorsements on his petition — but lost the election.

The system evolved following adoption of a statute in 1925, according to which nominations may be made either by political party committee or by petition. The first method is by a majority vote of those members of each political party residing in the school district. The way of the petition requires signatures equal to ten per cent of the votes for the member receiving the highest number of votes in the preceding board election—about 5,000.

A political committee candidate has little difficulty getting on the ticket. He need not spend time or much money presenting himself to the voter in two elections — or even one. By a gentlemen's agreement, in a single short meeting of the county committee he is forthwith placed on the

## Education in Kansas City

### School Pioneers Social Change

DANIEL U. LEVINE

American education is experiencing a fundamental change at the grass-roots level. Partly pushed and partly pioneering, some school officials are emerging as innovators in social policy. In the school districts, educators and politicians are finding ways to join hands in an effort to save the heart of our cities.

The separation of schools from other local and state governments has long been a cherished ideal among educators. Despite frequent criticism from political scientists that the large measure of autonomy granted to the school district serves to fragment the services of local government, educators have been nearly unanimous in believing that their independence has allowed the school district to avoid undesirable entanglements in local politics. Actually, this separation was always more formal than factual. Districts could never operate isolated from the social and political mood of their residents. *Today, some school administrators not only begin to admit this but even recognize the advantages of coordinating and innovating programs with city administrations and their agencies.*

As urban affairs grow more complex, it has become increasingly difficult to keep the interests and goals of the city and the school district formally separate. Decisions made in

city hall concerning the location of public housing, for example, can support or undermine the school districts' long-range building program. In fact, quality service by the school district and the city can only be achieved if they reinforce each other in working towards common goals.

Professor Robert H. Salisbury, head of the Department of Political Science at Washington University, points out if the city is to be a tolerable place "... educators must combine their resources and talents much more fully than they have done with other segments and programs of the community."

### *Schools Can Stabilize Neighborhoods*

For some years, one of the most prominent goals shared by the schools and the city government has been that of stabilizing neighborhoods in which the in-migration of Negro families threatens to trigger rapid turnover and overcrowding in the schools. Since confidence in the local school plays a predominant role in determining whether white families will remain in a mixed community, schools will have to initiate programs in stabilizing neighborhoods. In the past, educators and school board members largely rejected this responsibility, as many still do, or were uncertain as to how they could fulfill it. They typically argued:

ballot as the candidate of two parties. This lends party prestige and financial backing from both sides.

What on its face is called an election, is in fact a bipartisan appointment.

### *Other Changes Needed*

But it is not only the method of election but also the number of board members, the length of their terms, payment for their services, and the filing deadline which deserve serious review.

Legally, the Kansas City school system is a unit of local state government, a political subdivision like the city and county but independent of both of them — exercising its own legislative, administrative, policy making, budgeting, and taxing powers.

This major political structure is governed by a six-member lay board. Members are elected for staggered six-year terms, two members being

elected at each biennial general election. Those elected all have other occupations and meet on a regular basis only once every two weeks. With absences, the working board frequently shrinks to four. Its members cannot possibly devote the time necessary to keep fully informed, much less widen their knowledge beyond the immediate problems so as to permit future planning. The Board must act as a committee of the whole — being too small to function with even smaller subcommittees.

In the fall of 1965, the School Board and the Citizen's Coordinating Committee became embroiled over the selection of school sites. The Board president Homer C. Wadsworth presented a solution. But the rest of the Board refused to vote. It wasn't until Henry P. Poindexter, another Board member, returned from a California business trip that the problem was resolved.

Frequently, the Board is deadlocked by a 3-3 vote. It is structured by its even number to encourage non-action. This factor also favors the Board's conservative members. Those who wish to build new buildings, to increase teachers' salaries, to seek federal aid for enriched programs, and, generally, to experiment clash with those who say "go slow, let things stay as they are." The conservative, endorsing the status quo, can rely on four out of six potential voting combinations to uphold his point of view.

A six-year term of office places a heavy burden of community service on Board members and discourages many potential candidates. It also frustrates the power of the voters to replace a member by not voting for his re-election within a reasonable time.

Despite this heavy and long commitment of time and energy, the office

Our job is to educate the students who come to our schools. We must take the children as they are, and do our best to develop their intellectual skills. This is a large task, and it leaves us no time or resources to use in engineering their environment. Our main responsibility is to maintain the quality of our programs. It is not our fault if whites mistakenly conclude that their children cannot be well educated in our schools.

or

Rapid change in neighborhoods makes it difficult for us to carry on appropriate educational programs. We would like to see neighborhoods stabilized on an integrated basis, and we will go out of our way to help achieve this. However, there really isn't very much we can do in view of our limited powers to convince white parents that integrated schools can be good schools or to assign children to schools which parents do not wish them to attend.

All these arguments are being answered by a project now underway in Kansas City, Missouri. The Kansas City school administration has recognized that stable integration is a goal fully as or even more important than traditional policies which required

similar treatment for integrated and *de facto* segregated schools. What is more, the district has begun to take steps to stabilize the integrated but slowly resegregating southeast section of the city, despite occasional protests from some individuals and groups.

### *The Kansas City Response*

To protect and encourage stable integration in the schools and neighborhoods of the southeast side, the Board of Education has pioneered in transfer policies and in establishing new channels of communication.

On August 22, 1966, the Board of Education decided that for at least two school years (beginning September 1966) students living within the attendance area of Paseo High School would no longer be permitted to transfer to other high schools.

Paseo, one of two high schools serving the southeast part of the city, is a crucial school which has steadily gained in percentage of Negro students as Negroes moved in and white students exercised the option to transfer to other schools under the district's open enrollment policy. Despite the fact that the overwhelming majority of the residents in the southern half of its attendance area are still middle-class whites, by the 1966-1967 school year 70.2 per cent of Paseo's

students were Negro. Unless the trend toward resegregation at Paseo could be reversed, it would be almost impossible to sell homes to whites.

The decision to prohibit transfers from the Paseo area was not popular with many white parents who feared that the rise in the proportion of Negro students lowered the quality of education and meant unwholesome conditions and even physical dangers for its white minority. Some argued that the decision would accelerate rather than inhibit resegregation. Others objected that a policy which retained the open enrollment option in other parts of the district but not at Paseo constituted discrimination against the citizens in a single area.

It is true that open enrollment options at the high school level normally are applied to all or none of a school district. The decision of the board represented a significant departure from accepted practice. With this decision the board in effect said that stable integration is sufficiently important to take priority over other policies. By its action, the board recognized that developments in the southeast schools might determine the future of the entire city.

The school board and the administration recognized that the restriction of white transfers could not succeed unless steps were also taken to



carries no salary, limiting the choice of candidates. Kansas City pays its city councilmen, county court judges, and its police commissioners. There is no compelling reason which denies this benefit to school board members.

Independent candidates find it extremely difficult to develop a following, become known, and challenge the position of the party nominees within the brief period from nomination to election.

Parties obstruct independent campaigns by making their nominations as close as possible to the deadline, which state law says is 30 days before the Primary. This lack of opportunity to question and examine the party candidates gives an advantage to the party nominees who can always depend upon organization support.

### Recommendations

Kansas Citians would be better served by a non-partisan election to

the Board of Education, by reducing the required signatures on a petition to five per cent and by doubling, at least, the length of the campaign period. Reducing the six-year to a four-year term would permit continuity, yet present the candidates more frequently to the voters. A Board of nine would avoid ties, offer more flexibility, and permit the examination of issues in greater scope and in greater number.

The 75,000 students and 4,125 employees of the schools deserve a system which is both democratic and efficient. The present system is neither.

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**in Chicago**

improve education, to build and maintain public confidence, and to develop good interracial relationships.

Accordingly, full-time community coordinators have been assigned to the two high schools. They work closely with groups, agencies, and citizens. They publicize school programs and achievements and help solve problems such as loitering, coordination with local police, supervision of athletic contests, and raising money to improve facilities.

The school board has also committed itself to continuing honors classes and special classes at Paseo such as those in advanced mathematics or foreign languages, even if this means classes in which only a handful of students can enroll. This assures parents that the quality of the educational program will remain high and reaffirms the board's willingness to do whatever is necessary to make integrated education a success.

The board gave extra pay to Paseo teachers who attended Saturday workshops in which they explored how they could better cope with problems that arise in a changing school. The course bolstered morale and provided a vehicle for intra-faculty communication which is difficult to achieve in a large high school.

The board assigned Paseo a new principal who is widely respected as one of the most promising young edu-

cators in the entire area. This administrator has been outstandingly successful in raising faculty and student morale, reducing discipline problems, and persuading new teachers to accept permanent appointments. He has been working to increase support and understanding among community organizations, and to reassert the reputation of a fine school.

In December of 1966 the district was awarded a grant of nearly \$100,000 from the Equal Educational Opportunities Office of the U.S. Office of Education to continue the teacher training program at Paseo and other schools on the south side and to develop and conduct two new courses for Paseo students. One is a course in human relations which will be taken by all students at Paseo (and may later be extended to the whole district); the other is a course in which twenty to thirty prominent professors from the University of Missouri at Kansas City will work alongside Paseo teachers in enriching the educational experiences offered to the students. This unique cooperative effort should convince parents that their children will acquire as fine an education at Paseo as is available anywhere in the metropolitan area.

Strong support has been given to a group of teachers at Southeast Junior High School who are helping to stabilize the southeast community.

Although only a few of these projects — such as a monthly bulletin through which teachers inform parents of outstanding programs — require appropriations from the central office, the support of local and downtown administrators has played a large part in encouraging teachers and students to make extra efforts aimed at community stabilization.

### It Makes a Difference

None of these actions ensure that resegregation will be avoided. But, though they represent only a beginning, their cumulative effects are beginning to make a difference: for the first time in years, the percentage of Negro students in the freshman class at Paseo is now smaller than the percentage of Negro students in the sophomore class, thus demonstrating that imaginative school officials can join with officials from other agencies and with public-spirited groups to accomplish goals which all of them share.

One hopes that they also signal the end to the traditional but now dysfunctional "splendid isolation" of the public schools in the big cities.

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# Jefferson Bank

## Dispute

### Rocks St. Louis

JULES B. GERARD

Recently the Bar Association of Metropolitan St. Louis issued a statement condemning the picketing of Circuit Judge Michael J. Scott's home in a civil rights dispute growing out of the Jefferson Bank case.

Besides being unprecedented, the statement was regrettable because it openly aligned the Bar Association with "white power."

The Bar declared in part:

The repetitive picketing of his home and the hanging in effigy leaves us, as lawyers, not only appalled but also disturbed for the rule of law . . . In aiming at personality, it misses the real target of principle, and this misdirection is violent to the cause of all principle and reasoned good faith. The administration of justice is not and cannot be allowed to become a contest of personal wills and ordeals.

It is curious that the Bar saw fit to break with precedent and issue a statement, when it was so very silent on public requests to impeach Supreme Court Justices, and when both St. Louis newspapers repeatedly criticized another circuit judge. Whether one prefers to be picketed at home or to be pilloried by newspapers is a matter of taste but in principle both are protected by the First Amendment.

It was particularly distressing that a learned legal society should choose to hold up the virtually unreviewable exercise of a judge's discretionary contempt power as an example of "the rule of law." It is not too far-fetched to say that the history of American law could be written in

terms of the restrictions placed upon the power of judges to punish actions which occur outside the courtroom as contempt. One could begin with James Madison's unsuccessful attempt to impeach Missouri's first federal judge for abuses of the contempt power, continue through the restrictions placed upon "labor injunctions" in the early years of this century; and conclude with recent cases from the United States Supreme Court severely limiting the sentences judges may impose without jury trials. *Had these latter cases been controlling, by the way, they would have made the sentences imposed here unconstitutional.*

The rule of law is not a static, but an evolving, concept. In 1631, an English judge at whom a brickbat was thrown convicted the thrower of contempt of court. The right hand of the unfortunate defendant was amputated and nailed to the gibbet, from which the defendant then was hung "in the presence of the court." To argue, as the Bar's statement seemed to, that everything the law presently tolerates must be considered an essential part of "the rule of law" is to deny it the power to root out such barbarity.

The Jefferson Bank case has returned to haunt the City of St. Louis. When the Supreme Court refused (Justice Douglas dissenting) to review the case in February, for the first time racial tension in the city had a focal point. While it was no more than a legal newsnote to be ignored by the white community, the Negro community was, and still is, seething with anger.

On the one side, the case is viewed as an archetypical example of Negro oppression by the "white power structure." On the other, it is viewed as representing the ultimate foundation of society, the need for obedience to law. Neither of these views is unreasonable, because the complexity of the case makes them both plausible.

A small number of the participants on both sides seem determined to stand on principles even at the risk of racial holocaust. The immediate danger is a summer of violence. More important, the case might convince one side that obedience to law

means oppression and the other side that progress in Negro rights means anarchy. Indeed, some members of the community on each side already are convinced.

### The 1963 Demonstrations

The case began just before Labor Day 1963. The St. Louis chapter of CORE demanded that the Jefferson Bank hire Negro tellers. The Bank refused. CORE threatened "direct action." On Friday of Labor Day weekend, the Bank obtained an injunction from Circuit Judge Michael J. Scott, prohibiting interference with persons trying to do business with the Bank, but not with peaceful picketing. That same day, an orderly demonstration began outside the Bank. About an hour before closing time, however, a large number of the demonstrators swarmed into the Bank to disrupt business. Others blocked the Bank doors. Both of these activities were in plain violation of the injunction. Those to whom the case represents the rule of law remember only that large numbers of people blatantly and raucously defied a court order.

These same people tend to forget, however, that only nine people were tried, and, of those nine, only two had physically violated the injunction. The other seven, all well-known leaders of CORE, were convicted of "conspiring with" and "directing" others to commit the violations. *The choice of defendants could thus be viewed as an indication that the Bank was not so much interested in protecting its property as it was in jailing the leaders of a movement against job discrimination.*

(The "Jefferson Bank Case" consists of three violations, involving a total of 19 defendants. I deal here only with the first violation and the original nine defendants. This makes the presentation easier. It also makes the point clearer, because two of the three demonstrators who remain in jail — Robert B. Curtis and William L. Clay — were among the original nine.)

Another reason for the belief that obedience to law means white supremacy is an aftermath of the trial.



That proceeding began inauspiciously when Judge Scott signed arrest orders and delivered them to the sheriff on Saturday night. *Two of the defendants were arrested near midnight in the middle of a holiday weekend.* The other seven surrendered voluntarily on Sunday. Judge Scott then set bail at \$10,000. This figure was extraordinary. The only constitutional purpose for which bail may be required is to guarantee the defendants' appearance for trial, and most of them had surrendered; it is probable that all of them would have surrendered had they been given the opportunity. Also, bail in that amount is required in the City of St. Louis in less than five per cent of felony cases, as a 1964 study has shown.

Two of the defendants admitted going into the Bank but denied that they had interfered with the Bank's business. The other seven steadfastly maintained their innocence. It was Judge Scott who found them all guilty, since jury trials were not required in contempt cases. *He sentenced the two who had been in the Bank to fines of \$500 and 90 and 180 days in jail. Upon the other seven he imposed sentences ranging from 60 days and \$500 to 270 days and \$1,000.*

These sentences were outrageous. The dissimilarity between this case and the four the court cited to support its sentences is a telling revelation of how bad they were. Two of the cases cited by the court involved Communist bail-jumpers who were sentenced to three and four years after being caught trying to escape the country. Another concerned a witness who drew 15 months for refusing to answer questions of a federal grand jury. The fourth was a Missouri case in which the sentence closely resembled those imposed here: eight months and \$1,000. But the charge in that case was manufacturing perjured testimony! More typical of such contempt sentences were those imposed a few days ago by a court in Louisville, Kentucky, which had issued an injunction against night marches in favor of an open housing ordinance. Marches in violation of the injunction took place on three

nights. *The sentences imposed were 30 hours and \$30.*

The assertion made by some that the sentences were "approved" by reviewing courts is misleading.

Under Missouri law, a higher court may not reduce a criminal contempt sentence, even though it considers the sentence excessive. All it is permitted to do is determine whether the sentence is so excessive that it violates the constitutional ban on cruel and unusual punishment.

After sentencing the defendants, Judge Scott denied them release on bond pending their application for a writ of habeas corpus to the St. Louis Court of Appeals. *He also denied their request for a few days freedom to put their personal affairs in order, and committed them to jail forthwith.*

The Court of Appeals later freed them on bond pending a hearing. *In January 1964, that Court reversed four of the nine convictions because of inadequate evidence.* Further legal maneuvers followed, ending with the Supreme Court's denial of a review last February 13. Thus, five of the original nine defendants finally stood convicted of violating the injunction. Two of these five — the two who had gone into the Bank — had in effect admitted their guilt. The remaining three, Robert B. Curtis, William L. Clay, and Norman Seay, had continuously protested their innocence.

### Lopsided Justice

Two features must be kept in mind if one is to understand why some citizens of St. Louis view this case as a demonstration that the legal system institutionalizes the "white power structure." First, two of the people who remain in jail, Curtis and Clay, have always denied being guilty. Second, it is not necessary to believe that Curtis, Clay, and Seay were innocent to recognize that all of the original defendants were treated brutally. College students protesting the war in Viet Nam, or labor union members picketing a secondary employer, are not subjected to midnight arrests, excessive bail, and enormous sentences.

After the Supreme Court denied review in February, the defendants surrendered to serve their jail sentences. Their attorneys filed motions requesting either that the sentences be commuted, or that they be reduced, or that the defendants be paroled. Hearings on these motions were scheduled in such a way that those whose guilt was clear were heard first. Those defendants apologized for their contempt of court, a routine which is traditional. Judge Scott then read a sermon to them, part of which was reported as follows:

Your offense against the majesty of the law and authority of this court was a very serious offense. The existence of a free and democratic society is dependent upon voluntary obedience to lawful authority. You might well be one of the first to suffer if every man or organized group were allowed to take the law into his own hands.

... You chose to ignore the laws enacted for your protection and take the law into your own hands. You wilfully and deliberately violated the order of this court. Your conduct must be condemned and deplored. Your statements in open court have convinced the court that you are ... truly and deeply repentant of your offense. In consideration of your repentance and your solemn promise to this court to obey the laws, it being within the power of the court to temper justice with mercy, (you are released on parole) ...

This lecture was especially galling to people who had acted in the belief, however wrong, that since their cause was just their actions were justified. To those who had continuously claimed innocence, it was entirely unacceptable. They issued a statement from jail alleging that all of the defendants were being humiliated, and announced that they would not humble themselves for "freedom without dignity." They withdrew their triple-barrelled motions for clemency, and substituted simple ones requesting that their sentences be commuted — in effect, that they be released. Those motions were promptly overruled. Seay then served out his 90-day sentence and was released.

In addition, the demand for an apology and a confession of guilt posed a peculiarly cruel dilemma to Curtis, who is a lawyer. For if he were to admit wilfully violating the injunction, he would subject himself to disciplinary action, and possible disbarment, by the Missouri Bar. If he did not, he would remain in jail.

(Editor's Note: Just before press time, the three defendants who had remained in jail were paroled by Judge Scott, who did not require apologies in these instances. Following Curtis's release, the Missouri Bar Association instituted disbarment proceedings against him.)

In the meantime, other forces had come into play. A huge number of citizens banded together to form The Greater St. Louis Community Council. In a newspaper advertisement, the Council asked for the release of the demonstrators "as a matter of simple justice." Stokely Carmichael appeared in the city and made an inflammatory speech from the curb of the Jefferson Bank, urging Negroes to make heroes of the jailed demonstrators, and referring to Judge Scott as "hunky." Finally, ACTION (Action Council To Improve Opportunities for Negroes) began picketing the homes of Judge Scott and Wayne L. Millsap, the special prosecutor in the contempt cases. Millsap is the Bank's attorney and the son-in-law of its president. If the determination of Clay and Curtis to stand by their principles ever wavered, this show of support reinforced them.

### *The Confrontation*

And so an impasse has been reached. On the one side are those who remember only the jams of singing, clapping people inside the Bank, and the lines of determined, arms-locking people outside. *They tend to forget that these were not the people convicted.* They tend to forget that none of the Bank's property was damaged; that not even a window was broken. They tend to forget that, throughout this proceeding, discretion was exercised in every instance to choose that alternative which was roughest on the defendants.

On the other side are those who remember that the Jefferson Bank case was one of the first concerted efforts by Negroes in this city to eliminate discrimination in hiring. They are firmly convinced that the ugly treatment of the defendants was due solely to their race. They remember their consistent claims of innocence, but tend to forget that they had every reason to know their followers would disobey the court order. And they tend to ignore the

fact that the injunction was, after all, violated.

The defendants' cause is not helped by some of the picketers of Judge Scott and Millsap who indulge in excesses beyond their First Amendment rights, such as exploding fire-crackers late at night. Judge Scott has responded to these excesses with restraint and dignity. He has thus far prevented the police from making arrests.

Every lawyer knows that legal principles bend. They spend their lives working at the points of collision between conflicting principles. It is not that "the rule of law" will have to "yield" in the face of pressure. That view would also result in the admission that the judgments were rendered in the first place in an atmosphere of pressure, created by the fear and outrage of the white community in 1963.

What is needed is action by men of good will. This case raises directly the question of the proper role of the legal system in promoting the legitimate social aspirations of the Negroes, as distinguished from protecting their constitutional rights. Rather than inflame the situation by inappropriate statements, all of the bar associations of St. Louis should jointly offer their good offices to conciliate the dispute so that both sides may retire with dignity and honor.

The Bar did not recognize that by picketing the Judge and not the Courts, the picketers distinguished between the man and the law. This we should welcome.

For it is certain that if any significant number of people ever comes to believe that the Jefferson Bank case is a typical example of the rule of law in action, then we can expect not only demonstrations, but revolution.

*Jules B. Gerard is associate professor of law at Washington University. He has been published in numerous legal periodicals. He is a member of the executive board of the St. Louis Police Community Relations Council and a former vice chairman of the St. Louis Civil Liberties Committee.*

## *LeRoy Neiman*



Artist LeRoy Neiman is famed for his paintings of the high living, affluent, big spending, jet-set high society scene—the world of the race course, the international gambling casino, polo forays, haute cuisine, and society playgrounds. Little is known however of Neiman's other side: while painting in Chicago between 1957 and 1960 he did a series of sketches of the more seamy aspects of the merry-making life.

At the time his studio was on the corner of Rush and Chicago Avenues in the center of Chicago's night club belt. Neiman frequently would make post-midnight excursions to nearby North Clark Street to check what was happening in the honky-tonks, strip clubs, gin mills where nightly rummies, pimps, toothless hookers, the destitute, and the desperate take over the street from the River to Division Street.

The sketches are (from left to right, top) a show girl with escort; roomless gent passes College of Complexes, bartender hurdles bar at "King's Palace" to break up brawl; (bottom) hooker stands in doorway near Chicago River Bridge; and police frisk suspect they have just apprehended in alley entrance.







# Building Commissioner Charged with Favoritism

St. Louis Housing Code is Not  
Enforced Against Investment-Owned Slum Dwellings

STAFF REPORT



Kenneth O. Brown

The following report is not an "expose." For years, scores of civic organizations have known and newspapers have reported that the housing code is not enforced in St. Louis. At this juncture, however, residents might assume that the opening of one housing court and the addition of 21 inspectors will improve enforcement. We doubt it. So far the city's Building Division has given every indication that it intends to pursue its policy of favoritism for the principal owners of slum housing: investment companies.

The city's prejudiced code enforcement may adversely affect the proposed Model Cities program. The program is led off by the admonition that "cities must remove or arrest blight and decay in entire sections or neighborhoods." This concern is not original with the Model Cities program. It is found in two previous federal urban projects, which floundered because investment companies were not seriously prosecuted. The efficacy of spending millions of dollars under the Model Cities program should be questioned until it is determined that funds will be spent under a new enforcement policy.

Will St. Louis code officials continue to tell complaining tenants, "if you don't like where you live, why don't you move?"

Investment companies specializing in slum housing not only escape the penalties of law for violating the St. Louis housing code but the system actually works in their behalf. Sixteen investment companies have been named by representatives from community agencies as the most recalcitrant owners and managers of slum properties. These companies control much of the substandard housing in St. Louis. One company owns an estimated 1500 units, most of which are in violation of the code.

The St. Louis housing code sets down the minimum requirements for residential property to meet standards of health and decency. It includes such provisions as kitchen sinks, lavatory, tubs or showers, toilets in working order, adequate lighting and ventilation, and hot water. There are neighborhoods in St. Louis in which almost no housing meets these standards. Still, that housing is being rented.

The Building Commissioner and City Counselor are responsible for enforcing this law. Inspections are made by the Commissioner's office. If a letter to the owner fails to obtain compliance within 30 days, the

case can then be referred to the City Counselor for court action. More commonly, however, at the end of the 30-day period a second letter is sent. This process can and does continue indefinitely. In the meantime, tenants continue to live in dwellings which jeopardize their health and safety.

Certain areas in the city are periodically designated as neighborhood rehabilitation areas and systematic house-to-house inspections are made. Properties in these areas, it is estimated, can be brought to code standards within three years. The neighborhood rehabilitation program is used in areas which are largely resident owned. While it is a fine program in itself, it omits the worst areas of the city—about 25 per cent—where properties are primarily owned by investment companies. In these areas, inspections are made upon complaint. But, the indigent slum tenant rarely files complaints for fear of retaliatory eviction.

## Enforcement Abandoned

Enforcement of the code in some areas has all but been abandoned in St. Louis. Building Commissioner Kenneth O. Brown claims that inspectors can be used to more advantage in

areas which can be rehabilitated, that strict enforcement would force some tenants to move, and that repairs cost more than the value of the property. With the Building Commissioner taking this attitude, it is little wonder that code enforcement operates as it does.

The housing code is the city's chief weapon in its battle against slums. The ordinance places the responsibility and cost of property maintenance where it belongs—with the owner. Yet, this weapon is often used haphazardly if at all. Too often inspections are made months after the complaint has been filed. When inspections result in an order to repair a dwelling, the city's policy sharply distinguishes between investment-owned and individually-owned buildings.

Resident owners, like tenants, sometimes find themselves the apparent object of retaliation. In one neighborhood, much to their dismay, resident owners had their home insurance cancelled. Insurance companies charged that one reason for the cancellations was due to the excessive number of abandoned buildings. Residents formed a committee and requested the Building Commissioner to enforce the demolition of abandoned buildings. After the Building Division made door-to-door inspections, resident owners who were a part of the committee were sent summonses giving them 15 to 30 days in which to undertake major repairs. One owner was ordered to demolish a garage which had been torn down before she bought the house; it was still being carried on a tax record. The order to demolish a non-existent garage suggests that perhaps inspections were not made at all or that the whole operation was intended to muzzle the complaints. None of the investors made repairs nor appeared in court.



Another case epitomizes the confusion surrounding the activities of the Building Division. Without informing resident owners of specific code violations, properties were condemned and residents were threatened with jail if they did not vacate the premises within 72 hours. When the owners appealed the condemnation, the Building Division could not present exact violations. Following a "second inspection" some houses were found not in need of condemnation.

### **No Prosecution of Big Companies**

While the residences of individual owners are inspected and unresolved cases are referred to court, hundreds of dwellings owned by investment companies escape. From January 1966 to November 1966 approximately 300 housing cases were referred to the Associate City Counselor for prosecution. Only about 10 per cent of these cases involved investment companies.

A resident owner was fined \$500—\$450 of which was stayed, while one of the largest investment companies was fined \$10 for his failure to abide by city standards on one piece of property. Another was fined \$10 for two buildings. Still another was fined \$15 for three buildings.

City officials report that many cases are settled out of court. This is no doubt true, for the resident owner is frightened into making repairs by the violation notice. Investment companies are a sturdier breed. Experience has shown them that they will not be penalized. Even when cases do reach the courts, investment companies are granted months and years of continuances although the violations have existed for years. Moreover, companies can always trade buildings. The city's Building Division then drops the charges and starts proceedings against the new owner. Such cat and mouse games can continue indefinitely and the building is not repaired. For example, a building on Enright Avenue has been referred for court action upon three different occasions since 1965—each time with a different owner. The code violations still persist.

New York attorneys report that an aggressive administration would prosecute "building swappers." The court can act on violations during the period a building was owned, whether or not it is still owned by the same party. St. Louis officials have shown no inclination to follow such a pol-

icy. Astute observers wonder why.

*The city showed outright hostility when the St. Louis Board of Aldermen passed an ordinance giving the Building Division the power to seek the appointment of a receiver to manage and repair seriously deteriorated buildings.* Curiously, the two investment owners selected for receivership are the same two companies who had promised to challenge the constitutionality of the ordinance. Obliging, city officials then reported that they could not attempt to use the ordinance until its constitutionality was upheld; but few laws are tested in the courts before they are put into effective operation. The poor presentation of the city's case made impartial observers wonder whether the city wanted to lose the case. In alarm, the NAACP Legal Defense Fund is filing a "Friend of the Court" brief. While the city's legal concerns are touching, they conveniently overlooked that similar laws are in effect in New York, Illinois, Connecticut, Massachusetts, and Indiana.

The evidence seems overwhelming that St. Louis officials do not want to enforce the code.

### **Tenant Unions - The Only Alternative?**

Self-help becomes the only effective alternative left the tenant. After their pleas, complaints, and appeals have been ignored, they organize.

In a typical instance, a group of residents filed complaints with the Building Division about code violations in their block which included seven resident-owned homes and twenty seven investment-owned dwellings. Inspectors found 462 code violations. Resident owners were immediately summoned to make repairs. When it was obvious that the city was going to take no effective action against the companies, residents established picket lines at investment owners' homes and offices. Some tenants considered withholding rents. Eventually, a cooperating agency and the tenants were able to extract compliance with the housing code. (Unfortunately, unlike New York and Illinois, Missouri law does not authorize tenants to withhold rents for uncorrected code violations.) Picketing and rent strikes are signs that the city is not enforcing the code and is failing in its responsibility. The Building Division provides no documentation as to when inspections are actually made, where the

violations are recorded, and whether landlords actually receive notices. It is obvious to tenants that repairs are rarely made. They are even more rarely made in a workman-like manner.

### **Finally: One Housing Court**

Until recently, housing cases were heard in court less than one full day per month, in the midst of traffic cases. Late in February, St. Louis obtained a housing court of sorts, with City Judge George W. Cady presiding. *This new court has yet to demonstrate its intent and ability to handle investment companies.* Thus far, it has dealt almost exclusively with tenants and resident owners. In contrast, Chicago supports six chancery courts where only housing cases are heard five days a week. Their judges attend seminars in order to gain expertise in the problems of urban housing. Investment companies are aggressively prosecuted. Jail sentences are not uncommon penalties.

Although St. Louis Commissioner Brown expects to double the number of court cases to 150-200 per month, and the city is adding 21 building inspectors to its 45 under a federal grant, observers of code enforcement do not believe these changes will significantly improve code enforcement. The added cases will probably continue to involve defenseless resident owners rather than investors.

A thorough revision of city policy as well as personnel seems indicated. Current procedures suggest that the city assists some investment owners in violating the law.

More important than any new law or personnel is a change in the attitude of the city. Unless the administration prosecutes investment companies as diligently as resident owners, code enforcement will remain a palliative rather than a creative program.



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# *Will*

## *Leo Pfeffer*

### *"Rise Again?"*

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*University of Illinois Liberals  
Reform Politics in  
Urbana-Champaign Area*

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Anthony R. Martin-Trigona

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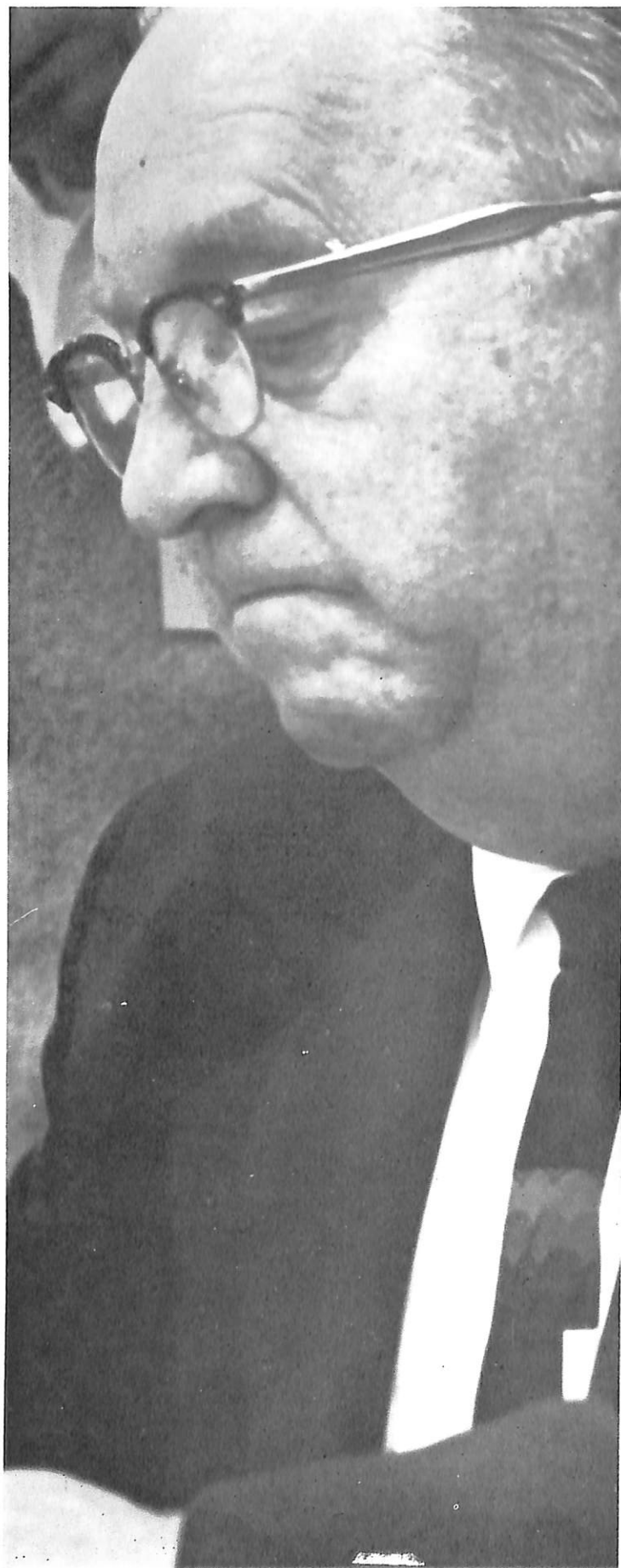
Former Illinois state representative Leo Pfeffer can attest to the tenacity of academicians turned politicians. Since 1962, Democratic reformers in Champaign County (Illinois), associated for the most part with the University of Illinois, have been intent on defeating him. They failed in 1962 and 1964. They bounced him off his House seat in 1966; in 1968 they hope to dislodge him from his remaining party posts.

The defeat of Pfeffer shows that an informed minority can be a potent force even in areas well-organized by a party. Anti-Pfeffer insurgents hope that the spirits of reform politics is in Champaign County to stay; they hope it can be exported to support a revival of Democratic prospects in Illinois' downstate counties and, less likely, that it may even exert a liberalizing influence on the Chicago Democratic Party.

Leo Pfeffer was not only a powerful member of the legislature, an active politician, and a man who was held in high regard by the state government, but he was also genuinely popular with many of his constituents. Today, he is still in control of the local Democratic party apparatus.

He was also the kind of person who called the reformers, "Communists, convicts, and trash."

Champaign County rules the 48th District, which Pfeffer represented. The remaining twenty per cent is taken up by Douglas and Moultrie counties. The 48th encompasses the University of Illinois, which has a student body of about 30,000 and an academic payroll of over 8,000.



*Leo Pfeffer*



Harry Tiebout



Paul Stone



Anthony R.  
Martin-Trigona

### *County Chairman Since 1944*

Pfeffer has been Democratic county chairman since 1944 and served as state representative from 1952 until his defeat in 1966. He had been instrumental in the bipartisan coalition which elevated Democratic Paul Powell to the Illinois House speakership in 1959 (over the opposition of the Chicago Democratic Party) and in 1961 when the Democrats were in the minority. For his efforts he had been rewarded with prestige, the chairmanship of the Executive Committee in recent sessions, and with patronage estimated at between 100 and 200 state jobs.

Illinois' unique cumulative voting system for elections to the lower House contributed greatly to Pfeffer's dominance over his district. His territory was heavily Republican, and no Democrat had served in the Champaign County Courthouse since the Roosevelt years. The provision of the cumulative system that each voter has three votes for state representative to split in any of several ways does, however, assure the minority party of one House seat. Also it practically eliminates party competition in the primary and general elections. Incumbents can usually get their supporters to "plunk down" three votes for them in the primary, thus splitting any remaining votes among their opponents. Thus a minority of 25 per cent plus one vote can elect a representative. For the general election, the party is given the power to determine how many candidates will be nominated. The minority party usually runs only one man in November.

Pfeffer was able to return uncontested for seven terms by keeping his Democratic opponents off the November ballot and deciding the election in the primary where he

could depend on 3,000 to 4,000 patronage votes.

### *Liberals Form Opposition*

Pfeffer's opposition evolved out of a group of University liberals, now led by the current Urbana Central Committee Chairman Professor Harry Tiebout. Other support came from residents dissatisfied with Pfeffer's leadership and those unhappy with their share of the spoils.

The beginnings of the Urbana-Champaign opposition can be traced back to 1960. At the time, their main thought was to strengthen the party organization. Dissatisfaction with Pfeffer was muted.

In 1962, when Harry Tiebout became the reform leader, the insurgents decided to run a candidate against Pfeffer and to run anti-Pfeffer precinct committeemen. But no suitable candidate was found and Pfeffer ran unopposed. However, the reformers won 9 out of 11 committeemen contests, which was still short of a majority of the committeeman positions. In the 1964 primary, the reformers again fell short of winning a majority of the committeemen elections. At the county convention, Tiebout, aware of the reformers' weakness, attempted to negotiate a truce with Pfeffer. He failed and in the attempt angered many reformers, who did not want to compromise.

Although the 1964 effort to unseat Pfeffer failed, the reformers had gained control of Urbana and Champaign. As 1966 approached, it was apparent that another lively primary was in the offing.

The single most important, though unintentional, boost to the 1966 reform campaign came from the Governor's announcement through the Democratic State Central Committee that two Democrats must be nominated in every House district. Ker-

ner backed up his request with a threat to fire anyone who disobeyed.

Pfeffer went along with the order. With his chairmanship of the Executive Committee and his control over the state jobs at stake, he chose not to offend the Governor.

After weeks of bickering, the reform factions agreed on a candidate who was willing to be the sacrificial lamb on the primary altar.

### *Candidate Paul Stone*

Paul Stone, an attorney from Sullivan in Moultrie County, had served previously in the legislature. In 1950 Pfeffer was county chairman and Adlai Stevenson was governor. With Stevenson's victory in 1948 had come control of the executive departments, and with control, jobs. Pfeffer, for the first time since becoming chairman, had come into real power in 1949 and used it wisely to place his supporters in patronage positions, leaving one for himself. During this period he apparently decided to run for state representative but was unwilling to challenge the only announced candidate, respected attorney Jo C. Williamson. Although he was serving as Superintendent of Institutional Farms, Pfeffer evidently felt his hold on the party was not yet strong enough. Instead, he chose the very path which was to defeat him fourteen years later. Breaking precedent, he opted for an open primary in which two candidates would be nominated. Then he recruited Paul Stone to run as the second candidate and promised him Champaign County votes, assuming in return that Stone could draw bipartisan support in Moultrie County and defeat Williamson. Stone and Williamson ran together. In November 1950, Paul Stone was elected over a stunned Jo Williamson.

Controlling the representative committeemen, Pfeffer then moved for a closed primary in 1952. In a bitterly contested election which saw Pfeffer accused of corruption and an extraordinary move by Adlai Stevenson to support Stone, Pfeffer defeated Stone by 19 votes. He went on to serve seven uninterrupted terms. Stone tried a comeback in 1954 and was defeated.

It did not take long to convince Stone to be the reform candidate. He had been waiting fourteen years. His strategy was to be the same as in 1950. The reformers would deliver Champaign County and would depend on Stone for Douglas and Moultrie.



## The Primary Debacle

As the campaign matured, a group of University liberals volunteered to serve in an advisory capacity. While Stone's initial appearances were weak, he slowly emerged as an attractive alternative to Pfeffer. He had the edge in education, reputation, and appearance.

The primary was a debacle for the reformers. Pfeffer did a superb job of getting out the rural vote. Traditional voting patterns are stronger in the county than in the city. Moreover, it was easier for the incumbent to organize his voters by using the patronage workers, while the reformers relied on the mass media. Only Kerner's order to put up two candidates in the general election, gave them a second chance.

Several of the reformers, with the help of the Independent Voters of Illinois, then decided to organize "Citizens for Stone," the group which was to provide the dark horse heroics of the campaign. John Kearney, executive director of the IVI, made weekly trips from Chicago, met regularly with Stone and helped organize the "Citizens." Until then Stone was given little chance of success. Pfeffer was already preparing for the January 1967 swearing-in ceremony.

### Fiction of Unity Shattered

Until the announcement of the "Citizens for Stone," the fiction of party unity was maintained. Pfeffer clearly was the choice of the Democratic state organization; he preached unity and planned to ignore Stone into oblivion.

When the "Citizens" were announced, Pfeffer saw in it the phalanx of a precinct level volunteer army which would work against him in the cities. He didn't know that the group was little more than a list of prestigious individuals who had agreed to lend their names. Pfeffer counter-attacked.

Speaking to a group of organization Democrats, Pfeffer labeled Stone his "opponent." Pfeffer asked for all three votes, because "Stone has associated himself in my county with people who have been my opponents for years, and these people have come out for one man."

Even Pfeffer's supporters were uneasy. Why, they asked had Pfeffer brought the fight into the open, especially when he was the odds-on favorite. The attack gave a psychological lift to Stone's supporters and allowed them to preach. "... Leo is

wrecking the party . . ."

Other accusations in the waning days of the campaign added to Pfeffer's woes. He was accused of exhausting party funds for his campaign and of refusing to honor his pledge of financial support to other candidates.

A light vote was uniformly forecast, and it was believed this would prove helpful to Pfeffer who could depend on the organization vote. Surprisingly, election day brought a record vote in both the city and county. At midnight Pfeffer conceded; he was being defeated by a decisive margin.

The returns showed that the reformers' strategy to come close to winning in Champaign County and let Stone bring in the decisive margin in Moultrie proved erroneous. Stone was sold out by his own chairman. Pfeffer also won in Douglas County although only by a handful of votes. However, Champaign County defeated Pfeffer by a surprising margin, provided by independent Republicans who crossed party lines.

Pfeffer did correspondingly better as the income level of the precinct declined. But even in lower and middle-income precincts, he had lost support since the primary. His loss in the high-income precincts was proportionately less, apparently because they were already so predominantly reform that he was approaching the floor in his share of the vote. The crossover of liberal Republicans as well as the larger Democratic turnout swung the election.

Precinct work and party organization shaped the outcome of the election. Unlike in the primary, intensive precinct work in support of Stone took place before the election. Party organization showed in seven of the nine precincts which supported Pfeffer in the elections; they had organization committeemen. The two which were controlled by reform committeemen gave Pfeffer only 51 per cent or less of the vote. Pfeffer lost both cities. He was swamped in all 23 precincts in Urbana, the birthplace of the reform movement, but only in 26 out of 35 in Champaign, traditionally the more conservative of the cities.

Also counting against Pfeffer was his penchant for collaborating with the Republicans, the majority party. He was popular in the county and low-income areas where he dispensed jobs, but after 35 years in politics he had made many enemies. Stone of-

fered an alternative, even to those who felt no particular attachment to the reform cause.

## The Coming Battle

Today the reformers control 47 out of 58 precincts in both cities. The Pfeffercrats control the county. In the coming June 1968 primary, the reform forces will try to unseat Pfeffer from his remaining post, the county chairmanship. Pfeffer, meanwhile, vows to make a comeback, "I'm not dead, Sir Andrew cried, I'm hurt but I'm not slain; I'll lay me down and bleed awhile, then I'll rise and fight again," quotes the veteran politician. Since Pfeffer controls the machinery he will likely close the primary so only one candidate is nominated to run in November. It is unlikely the Governor will be able to prevail on him this time since Pfeffer will have very little to lose and everything to gain.

The reformers must work for a much larger primary vote, if they want to unseat Pfeffer. Stone can promote this course of action but must guard against being accused of "bossism."

At present there is a vacant throne with two sets of government claiming the right of ascension. Pfeffer controls the nominating process and a majority of Democratic primary votes. Without the legislative seat, however, his prestige and influence will decline. A loss of patronage would be fatal. If he cannot regain full power in 1968, he may have to retire and with him a particular style of political appeal will fade from the scene.

The reform Democrats in Champaign County accomplished their 1966 goal. They have shown that a vigorous, vociferous minority can make its weight felt at the polls. They have opened up a part of Illinois to a new type of politics. A politics where issues count more than patronage, where voting records count more than personalities, and where intensive precinct work challenges established party organization.

Anthony R. Martin-Trigona is a graduate of the University of Illinois where he is now studying law. He also attended the University of Edinburgh and Wesleyan University. A former president of the Young Democrats at the University of Illinois, he was also the unsuccessful candidate for Champaign County (Ill.) Clerk in 1966.

*A selection of poems by Winfield Townley Scott will be edited by George P. Elliott and published by Doubleday & Co. this fall. The poems below will be included in this work, "New and Selected Poems." This is Mr. Scott's third appearance in FOCUS/Midwest.*

## POEMS BY WINFIELD TOWNLEY SCOTT

### *As Murmured*

"'Coming as far as this is not little,'  
Cavafy says of 'the first step' in art.  
But to keep on," murmured the old practitioner,  
"Passing the cold steps of a passionate life  
Never to be told if that's only not little.  
Time — I can unstrip it from my wrist  
But does that free my hand? Not to be known  
But know; not to be heard but to hear. It needs  
A strong man to hold his own inward look,  
That one way to awareness of the world.  
Art is a woman, always capable;  
You as begetter, not. Will you fail the real  
With desire slacked from when you dreamt of her?  
Never to be told if she faked response;  
Nor if you made a foolish exhibition—  
Or when you stripped, exposed our nakedness.  
Nothing will ever be as you imagined."

### *New England: Autumnal Notations*

Gray day amazed with maple scarlet in rain.  
Depths of trees weighed down with the wind's passion.  
Pine trunks wetted to kelly-green. Slant sleet of birch.  
Under runs of alder-sheltered water cold iron scent  
Of a mountain river rising. Walls wander the woods  
In a tumble of boulders, black but lichen-licked,  
Bordering ancestral fields cleared long ago and gone,  
Now flurry-filled with the chill detachment of leaves.  
Graves too to be come upon, the oldest in all our country.  
Crow-caw, but every prayerful chipmunk vanished  
To a winter bed. A take-over of trees — of rending rain.  
Hour beyond hour of rain, day dark as the end of time and  
The solitary man, not lost, only knowing he's no longer near home.

### *O Lyric Love*

I swore I would go back  
To that blossoming orchard  
Where I had seen the girl  
Leaning over a book.  
(Dark, and rain in the air.)

The day I watched the girl  
Was morning and the sun  
Splattered across the grass  
Flickered in her yellow hair.  
(Dark, and rain in the air.)

Those years ago I told her  
She might stay so forever:  
Her little breasts downward  
Her fallen-forward hair.  
(Dark, and rain in the air.)

I did find the orchard  
In a leafless season.  
But she was not there.  
And I was not there.  
Dark, and rain in the air.

# Two Martyrs: Fall and Muste

IRVING LOUIS HOROWITZ

Irving Louis Horowitz is professor of sociology and director of studies in the Comparative International Development Project at Washington University.



Returning from an idyllic week at the East-West Center in Hawaii, where Vietnam never seemed more remote despite the geographic proximity, I received news which brought about an overwhelming sense of personal loss. Not one but two friends had passed away: A. J. Muste — pacifist, radical, and believer in mass action; and Bernard B. Fall — realpolitician, conservative, and advocate of elite solutions. Muste was twice the age of Fall, and it must be frankly said, Fall was twice the theorist of Muste. But together each represented the best of his generation; each represented an authentic voice against the present American military intervention in Vietnam. Fall, painfully and slowly, came to be the intellectual backbone of resistance to the War, while Muste, proudly, unhesitatingly, from the very outset it seems, was the spiritual backbone to resistance. For once the cliché-ridden phrase—who will replace them?—is not only a meaningful question, but temporarily unanswerable.

The loss of these men will be felt across the board: from the coolly reasoned arguments for negotiating a peace which Fall put forth for the audience of *Foreign Affairs* to the impassioned, but no less rational, arguments for settlement poured forth in the pages of *Liberation*. Both men left a final intellectual testament, as it were: Fall with his keen book on the collapse of the French Army at Dien Bien Phu, *Hell in a Very Small Place*, a work filled with the sight, sound, and smell of Vietnam, and the foreboding of what may await the American Army; while Muste left us with his collected essays edited by Nat Henthoff, under the blunt but unassuming title: *The Essays of A. J. Muste*. Fall was an intellectual who believed in the life of action and died in battle for this fusion of scholarship and journalism. Muste was a man of action who died in a struggle to bring intellect to bear on the Vietnam conflict. It is hard to believe that his already seriously impaired health was not considerably aggravated by his recent trip to Hanoi this year and by his harassed tour of Saigon last year.

Despite a world of ideology separating Muste from Fall, there were profound similarities between the two that occasioned my respect for both. Perhaps this is not quite an accurate way of stating my sentiments, since Muste was one of the few men

I encountered in my adult life for whom I felt real devotion; while Fall, even when respect was compelled on the basis of his erudition, had a psychological make-up which made manifest all possible latent antagonisms. I had the distinct impression that a failure to engage in decisive intellectual combat with Fall led either to mistrust or to inattention. Muste, for his part, was also a no-nonsense person, who despite his ability to place one at ease, never substituted the genteel for the vital. The close proximity of each, in my imagination at least, was their shared sense of the importance of life, the necessity of using time rather than marking time, of putting things of value into the world and not sucking the valuable from the worldly teat.

Death is the great leveler. It justifies the linkage of Fall and Muste no less than makes possible an accounting of the lives they led. If it might appear to some pacifists that this linkage is no better than an artificial fusion of the profane with the sacred, or to some realpoliticians an equally unhappy combination of the tough-minded with the tender-hearted, let each meditate on a commentary which Muste made (in criticizing my own views on morality and public policy made some years ago in the pages of the late and lamented *Council for Correspondence Newsletter*). "I freely admit that radical pacifists have not gotten very far with study of how revolutionary transition (from a war system to a peace system) might be made. In the meantime, there are moral problems, such as the relation between ends and means or the relation between power structures and moral imperatives, which cannot be evaded. Nor can the moral and political realms be separated. In real life they are in constant tension, and trying to relate them creatively is the permanent task, about which Martin Buber has said: 'It is difficult, terribly difficult, to drive the plowshare of the normative principle into the hard soil of political reality.'" And if Fall saw things differently, if he saw life in terms of driving the plowshare of political reality into the soft underbelly of the normative principle, then at least, like Muste, he saw the problem of political morality and moral politics as being part of the same universe of discourse.

The advantage of encountering a person physically is that one gets to know a person emotionally. A fas-



cinating game which I imagine all men of the academy play is the degree to which the man measures up to the word. And from my own experience, this is a far less frequent "fit" than might be imagined or hoped for. But in the case of Fall and Muste, the men exceeded the word. The personal charisma of each rested on his ability to transform a room full of noise into one filled with viable ideas.

Where this was most plainly evidenced in the case of Fall was at a 1962 round-table meeting in Washington, D.C., sponsored by the American Friends Service Committee on Crisis and Revolution East-West, North-South. Interestingly, Fall, whatever his intellectual disagreement with the pacifist position, maintained a deep and abiding personal respect for the AFSC and its personnel. Fall was the last speaker on the East-West side of the ledger, as I was on the North-South side. And from the outset it was clear that his address was to be radically different from those of the previous speakers. Somehow all distinctions based on ideology seemed to fade, as the main differential became one of clarity versus cloudiness. Fall's words tumbled out: all starting from the concrete experience in Vietnam—the specific mistakes of French policy and United States policy; the exact character of guerrilla warfare in Vietnam as it differed from that in China and Cuba; the time and place where the Sino-Soviet position foiled settlement; the nature of the Viet Cong; and the relationship between nationalism of the North and sectionalism of the South.

History informed his every sentence. Further, it was as if Fall's words could be pinpointed on a map. He seemed to combine history and cartography as the essence of political analysis, not as a staged backdrop that could be eliminated from consideration like a cardboard prop. The core of his analysis that day can be summed up thus: The Viet Cong are not being defeated, will not be defeated, and cannot be defeated by military means—even if the military resources the American Army put into Vietnam were to be enlarged ten times. Yet, this was by no means the same as a victory of universal communism or a catastrophe for the West. Communist nations were divided up by Fall between those that are independent and those that are satellitic. The satellitic ones, such as some of those countries in Eastern Europe,

do indeed become part of a bloc that is lost to the West. But nations such as Yugoslavia and China—whatever their ideological disputations with each other, and whatever their solid commitment to a socialist economy—represented an independent communism based on a long and bloody civil war and on genuine adhesion of the masses. In each instance, these countries, far from being allies of the Soviet Union, are co-partners in a polyglot set of political experiments in collective ownership and in so being, represented the liberalization of communism. Political fragmentation of the Soviet "bloc" meant its opening up, not its closing down, and certainly not the collapse of the socialist ideal. Fall strongly believed that a settlement with the Viet Cong would produce roughly the same situation. First, there would be a period of restoration within civil society, followed by a schism with the hard-line North Vietnamese, which in turn could well lead to the normalization of trade and diplomatic relations with the rest of the world—along lines not dissimilar to what has taken place in Poland, Hungary, Czechoslovakia as well as Yugoslavia. Fall spoke feelingly and intelligently. It was the first time I was persuaded of the centrality of the Vietnam war (at that time I feared much more the possibility of an outbreak in Cuba or even Laos) and also its futility.

Fall was coming to suffer (and endure) what was long the fate of Muste: hostility from both Left and Right. The Soviet cartoon magazine *Krokodil* had pictured him (the week prior to that particular AFSC conference) as a writer whose pen was dipped in the blood of the Vietnamese people, while the United States Department of Defense had already begun a studied campaign not to take Fall's warnings of catastrophe and commitment at all seriously; and instead to write him off as a Frenchman-turned-American but still a Gaullist. Like many intellectuals in such circumstances he wore this double criticism as a badge of honor, as a proof of his correctness. In fact, these criticisms served to disguise from himself certain honorific and self-righteous properties that formed part of his thinking and writing. But five years more of the war made a tremendous impact on his conception of the Vietnam situation and on his self-conception of the role of the scholar in bringing the war to an end.

In private conversations and correspondence following that initial meeting, we had a number of discussions and debates. It was Fall's belief that one essential reason for the seriousness of the Vietnamese war, in contrast to my own emphasis on the importance of Latin America, is the different spheres of influence blanketed by each, and the different thresholds of the will to fight to be found in each area. Vietnam presented the United States with an *involvement*; Latin America presented the United States with an *investment*. From Fall's point of view, the real solution to Vietnam would come when the distinction between politics and property was formally recognized and acted upon. Fall was upset by the *lack* of economic determinism in United States thinking about Vietnam, and its substitution of a political predeterminism (the domino theory for instance) in its place. This is not the time or place to carry the debate further; indeed, the deep shock for me is that the debate, however it may continue at a transcendental level, is over, insofar as it affects two people.

As in the case of Fall, there are undoubtedly many people who knew Muste far better and more intimately, longer than I did. But in my own scale of intimacies, A. J. ranked very high. He was my friend, and not just an intellectual acquaintance. Things were said in a way that intimates alone can afford. It never took long before the age differential dissolved. His sense of humor was young — and this counted for much. He could exchange barbs in a way common to the young and foreign to the old. He could make demands upon your time and energies in a way common to the young and foreign to the old. He was a wonderful model for young people because he never disparaged ideas in the cause of action, and never insisted on intellectual requisites for membership in the struggle for what was just and peaceful. He walked about his weird and dilapidated office on Beekman Street not like a royalist but rather as a citizen. He commanded a respect from colleagues and secretaries born of love, not of fear. One of his earlier secretaries said to me that he converted everyone to his beliefs by compelling the novice to face moral dilemmas in everything, but act out those dilemmas in politics rather than psychoanalysis.

It is hard to resist the use of banal

words to express pure human relations. Like everything else, a vocabulary can be cheapened through excessive use. We are confronted with a situation in which the behavior of a man cannot be well expressed because the exact words available have been used too much. Perhaps one way of summing up Muste's person is that he never tried too hard. Everything he did had a sound fit; it was right and natural. He never played the sentimental old man role; he never played the crusty old man bit. He *was*; he did not *play*. He confronted you with essence. This was expressed by him politically as well as personally. His appeal to each person was measured. He never demanded of me that I be something *other* than I was, only that I do *better* what I believed right. Yes, he never missed an opportunity of enlisting me in the good cause at a level he knew would interest me, if not always convince me. Projects for studying the history of pacifism, grants for evaluating non-violent responses in stress situations by social psychologists, petitions for opposing student entrance into the armed forces — all these were brought to my attention by him for simple universalistic ends, enlisting my support in the cause of the just.

What perhaps made Muste the incomparable figure he was in relation to the Vietnam war was his capacity to absorb the conflict in a theory of history, and not allow himself to be consumed by the uniqueness of the war. Indeed, he earned the scorn of ultra-revolutionists no less than the wrath of the reactionaries precisely because he refused to distinguish between good wars and bad wars. He thus found himself in a permanent minoritarian position throughout most of his life. Muste was, however, probably the most flexible dogmatist I have ever known. He knew the difference between a Hitler and a Roosevelt, between Axis powers and Allied powers. But he refused to sanctify these differences on moral grounds. Indeed, my chief argument with him was that while he was intent on seeing morals and politics as interrelated, and in contrasting his position with my own urgings for the primacy of politics on pragmatic grounds, his own view really amounted to asserting the practically the utility of morality in politics. But such theoret-

ical inconsistencies made him seem more, rather than less, like Gandhi and the pacifists of the East.

The resistance to the Vietnam war, while hardly massive in the United States, nonetheless represented the pinnacle of Muste's achievement at rallying a consensus to his pacifist's framework. If he did not live long enough to see any victory in sight for the pacifist's conscience, he at least outlived his critics who saw in World War One a war to end all wars or World War Two a war for the salvation of democracy. Because of American participation in the Vietnam war, he was able to unite in his person all those forces which had become exhausted and stale in the attempt to unite the opposites of war and peace, tyranny and democracy. Muste also knew that peace was a small thing, a procedure, a way of conducting human relations, no less than an object, a way of attaining universal partnership. This was a real source of intellectual strength in Muste's position. He appreciated the intimate ironies in the peace movement (the issuance by the New York City Police Force of a permit for space so that young men might perform the illegal act of burning their draft cards) without losing sight of the larger grotesqueries the war brought about. He also understood the worth of a society that could permit such anomalies to take place. This may be a big reason why he incurred the displeasure of superpatriots, without inviting the scorn of real patriots. He did not confuse resistance to the war in Vietnam with acquiescence to totalitarian systems elsewhere in the world. The dualism of "bad" imperialist wars and "good" proletarian wars which Christians from the time of Saint Thomas to Communists from the time of Lenin have tried to inculcate in the name of realism, simply has broken down on the shoals of atomic power.

In a sense, it was the "ultimate weapon of war," the atomic power that could destroy total populations, which provided the intellectual iron that made Muste's pacifism politically viable no less than morally defensible. In private conversations, Muste more than once admitted that the thermo-nuclear era really transformed the potentialities of pacifism by changing the very nature of the war system. Since victory through total nuclear output had become a contradiction, and an absurdity, the very *raison*

*d'être* of warfare had been effectively collapsed by the technological rush to military judgment. This change in reality was effectively recorded in Muste's writings. His essays became less strident, less defensive in the post-nuclear era. It might well be that these last years were Muste's happiest — at least he saw a meshing of his practical political concerns with his intellectual moorings in a way denied to him in previous pre-nuclear epoch.

The war in Vietnam from the outset was doomed to remain a conventional war in terms of weapons. The ultimate absurdity was that the arsenal of hardware belonging to the latest technologically sophisticated achievement was less viable than primitive weapons and hand-to-hand combat. As long as the war in Vietnam remained at such a level, victory was impossible. Yet, victory was equally implausible through the use of nuclear weapons, since the company of nuclear powers has become large enough and efficient enough to cancel any advantages to the use of such weapons. Thus, whatever the specific localized absurdities of the Vietnam war, the larger absurdities were plain to plain men. And in this, Muste linked intellectual arms with Fall. Both knew fully well that this was the era of debauchery, at least with respect to the Vietnam war. It was also their shared knowledge that if men are not holy, then neither are their national policies. It was finally their shared hope that debauchery would be followed by redemption — and the redeemer would come the second time as the first, as a prince of peace.

This personal memoir is already too long—moving about from the two men to the two worlds in mortal combat. All things are interrelated after all. How terrible it is that it takes death to bring this home to us. Vietnam has cost America, has cost me, a good colleague in Fall and a dear friend in Muste. Let the statistics on casualties show two more fallen heroes: without posthumous medals, without pomp and ceremony, without photos of bereaved teen-aged widows. These are hard times. War is a bad thing. It takes those we love, and it leaves us scarcer in numbers and fewer in answers. But when all is said and done, the world belongs to the living, and obituaries must be written to provide aid and comfort to those of us who are left.

# Historic Writing in the Midwest

IRVING DILLIARD



Among many things, the Midwest is a center of historical writing and publication. One new venture in this field is "Classic American Historians" which the distinguished Illinois historian, Paul M. Angle, is editing for the University of Chicago Press. Four of the projected eight volumes have just appeared. They are being enthusiastically received.

The reason for the series is simple and sound. "Few today read the great American historians," says Angle. Few can. "If a reader limited himself to those chosen for inclusion in this series — Prescott, Parkman, Bancroft, McMaster, Moses Coit Tyler, Henry Adams, Nicolay and Hay, and Rhodes — he would find himself straining his eyes eight hours a day for at least a year."

Angle and his colleagues have undertaken not to condense the volumes but to present representative selections. Angle himself edits the book that represents the 10-volume work on Lincoln by John G. Nicolay and John Hay first published in 1890. As Lincoln's secretaries, they enjoyed great advantages, including attendance at the events they describe and their practice of noting down all happenings and impressions. Their preface says:

"We were the daily and nightly witnesses of the incidents, the anxieties, the fears, and the hopes which pervaded the Executive Mansion and the National Capitol . . . We had personal acquaintance and daily official intercourse with Cabinet officers, Members of Congress, Governors, and Military and Naval Officers of all grades, whose affairs brought them to the White House."

Angle tells us that the collaborating process transmuted the distinctive

writing characteristics of both writers into a style "peculiar to neither, a style characterized by sobriety, clarity, coherence and occasionally an eloquence that approaches the Churchillian."

James Ford Rhodes' "History of the United States From the Compromise of 1850" is abridged and edited by Allan Nevins so as to cover primarily the years leading to and including the Civil War.

After noting Rhodes' limitations, Nevins writes of the author, a well-to-do businessman who turned historian: "With the opportunities and means available to him, he executed a magnificent piece of narrative history that offers a larger combination of enjoyment and profit than any but a few historians can provide."

The two other volumes now published are abridgements of William Hickling Prescott's "The History of the Conquest of Mexico" by C. Harvey Gardiner and George Bancroft's "The History of the United States From the Discovery of the Continent" by Russell B. Nye. Gardiner, a former St. Louisan and now research professor of Latin American history at Southern Illinois University, selects passages recounting the Spanish confrontation with the Aztecs, and the "resulting struggle between Christians and pagans and the personalities of the opposing leaders, Cortes and Montezuma."

Nye, Distinguished Professor at Michigan State University, edits Bancroft, of whom he has written a Pulitzer Prize biography. He summarizes, "Democracy was the lodestar of his work; its bias, if such a powerful conviction can be so called, was that of a man being true to his most deeply held principles. What he saw in the

American past was the promise of a better future, for Americans and mankind, and his 'History' traced out its shape."

The Mormons, their trials and tribulations in Illinois and Missouri, and their trek West are the subject matter of several new books. Robert Bruce Flanders, of Iowa's Graceland College, tells in "Nauvoo: Kingdom on the Mississippi" (University of Illinois Press) the story of the community that mushroomed from 5,000 in 1839 to a large city before division and reaction set in. Wallace Stegner's "The Gathering of Zion," in McGraw-Hill's American Trails Series, takes the Mormons from Nauvoo to Utah in 1846-47 to open the route followed by thousands of migrants.

Mark Van Doren, the Illinois-born poet and scholar, writes of Marguerite Young, author of "Angel in the Forest" (Scribner) that she "is a poet whose prose, the longer it is looked at and listened to, becomes poetry also." And he says, it is "excellent history and at the same time a tale of such mysterious forces that we must wonder why so few other historians make the utmost of their subjects as she does of hers." Miss Young develops the drama of the settlement of New Harmony, first by German mystic George Rapp, and later by British Socialist, Robert Owen. Many other books witness to the Midwest as a center of historical and political writing and investigation. Here are a few:

"Missouri Sketch Book: A Collection of Words and Pictures of the Civil War" (Kelly Press, Columbia, Missouri) is compiled, edited, and



written by Clifton C. Edom. Using the picture-story technique, the University of Missouri teacher of photo-journalism has produced one of the most interesting and enjoyable of all the thousands of books on the War of the Rebellion, with special attention to what happened in Missouri.

"The French in the Mississippi Valley" (University of Illinois Press) is edited by John Francis McDermott, Charles E. Peterson, Dorothy Garesche Holland, Charles Guenther, the Rev. Joseph P. Donnelly, S.J., Frederick E. Voelker, and a half dozen other writers celebrate the 200th anniversary of St. Louis with these studies of the explorers and pioneers who opened up the heart of the continent.

"Letters of the Lewis and Clark Expedition, With Related Documents, 1783-1854" (University of Illinois Press) is edited by Donald Jackson. A. B. Guthrie, Jr., says of this collection: "Hereafter no one will call himself an authority on Lewis and Clark without having consulted this volume."

"The Cattle Kings" (Indiana University Press) by Lewis Atherton. The author is one of the most genial and entertaining historians. This book lifts the cattlemen to his true place of importance, long obscured by the outlaws and desperadoes of the Old West. Atherton, a University of Missouri professor, reports that the cattlemen civilized the frontier while they made fortunes. They were instrumental "in cleaning up such infamous sin towns as Abilene and Dodge City." Atherton delights in old pictures and includes a treasure trove of them.

"The Letters of Stephen A. Douglas" (University of Illinois Press) is edited by Robert W. Johannsen. This is the "first published collection" of letters by the Little Giant of Illinois.

"The New Radicalism in America - 1889-1963: The Intellectual as a Social Type" (Knopf) by Christopher Lasch. The author illustrates "the emergence of the twentieth-century social reformer" with critical essay appraisals of such leaders as Illinoisan Jane Addams and Missouri-born Reinhold Niebuhr. He explains: "I have written about the critics of capitalism in the hope that their history

would tell something about the peculiarly fragmented character of modern society, and about what it means to purpose the life of reason in a world in which the irrational has come to appear not the exception but the rule."

"Benjamin Lundy and the Struggle for Negro Freedom" (University of Illinois Press) by Merton L. Dillon. The author is on the faculty of Northern Illinois University and the author of a major study of Alton's abolitionist editor Elijah P. Lovejoy. Here he presents the life of the anti-slavery leader who brought William Lloyd Garrison into the movement.

"History of the Chicago Urban League" (University of Illinois Press) by Arvarh E. Strickland. An addition to the history of the "Negro Revolution," this book is also of substantial value as work by a Negro historian. The author is associate professor at Illinois Teachers College, Chicago (South).

"The Amazing Mississippi" (John Day) by Willard Price. It is hard to believe this now but the Mississippi once entered the sea at Cairo — all below it is delta. Price calls the Father of Waters "the greatest river in the world with the possible exception of the Amazon."

"The Lobbyists" (Public Affairs Press) by James Deakin. A St. Louisan who writes about congress for the *St. Louis Post-Dispatch*, he provides a much-needed, up-to-date case-history of the lobby industry and its influence peddlers. Though the author's emphasis is on current practices, he sketches the history of lobbying back to the Gilded Age of Mark Twain.

"Pulitzer's Post Dispatch: 1878-1883" (Princeton University Press) by Julian Rammelkamp. The *St. Louis Post-Dispatch*, which will celebrate its ninetieth birthday next year, had no more important years in its long life than the first five years when the founder, the first Joseph Pulitzer, was developing the hard-hitting, indeed slugging journalism which he made synonymous with his name. Rammelkamp, who teaches American history at Albion College, has extended notably our knowledge of the "pioneer of modern journalism," of

nineteenth century urban development, and American social history. Happily, he plans to continue his biography of the *Post-Dispatch*.

"When Americans Complain: Governmental Grievance Procedures" and "Ombudsmen and Others: Citizens' Protectors in Nine Countries" (both Harvard University Press) and both by Walter Gellhorn, ex-St. Louisan and Columbia University law professor. The need for these companion books is so obvious that we can only wonder why they were not written before. The first, based on Gellhorn's Oliver Wendell Holmes Lectures at Harvard last year, demonstrates the disadvantage of the small citizen who confronts big government in the United States. The second book reports the author's findings in Sweden, Norway, Denmark, Finland, and New Zealand, which use the "ombudsman" to take up a citizen's complaint against his government, and in Russia, Poland, Yugoslavia, and Japan which have "their own version of citizens' protectors."

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## *Polly Sue and The St. Louis Dodgers*

JACK MATTHEWS

**Y**ou come walking in here after midnight," Polly Sue whispered with a withering inflection, "drunk like this, when that lawn hasn't been mowed for three weeks."

Ned drifted over to the mantle and groped for a pack of cigarettes. Then he turned around and faced her.

"Didn't you hear me?" she asked, lowering her voice. "The lawn! The lawn hasn't been mowed for three weeks, and my party's tomorrow!"

"We haven't had very much rain," he said, skating over the words.

"Just listen to the way you talk!" she said, thrusting her tiny fists down into her bathrobe pockets so hard, the neck of the robe separated. "If my friends saw you like this . . . oh, god!"

He fumbled a cigarette loose from

the pack and squinted his eyes at her. "Big deal," he said. "Big loss, your distinguished friends. You oughta pay me to get drunk, just so they can come over to see me."

"Oh, shut up!"

"Shu' up yourself."

She took her fists out of her bathrobe, shook them in front of her stomach and made a humming sound.

"Oh, hell!" he muttered half-heartedly, lighting the cigarette.

She stopped crying, because there was still a big point to be made about the lawn.

"Do you know the neighbors are *talking*?" she asked, pulling a curler back from where it had come loose and bounced against her nose. She glared at him as she fixed the curler back in place.

"I didn't think they knew how to talk," Ned told her. "I thought they were deaf mutes and just walked around measuring how high the grass is in people's lawns."

"Oh shut up," she said. "It so happens that this is a respectable, decent neighborhood. And respectable, decent people will keep their property looking nice. If they don't, it hurts the whole neighborhood."

He pulled his cigarette out of his mouth and spread his legs, as if to brace himself. "Goddam it," he shouted, "To hell with the stupid sons o'bitches! I don't give a damn what they think of me or the St. Louis Dodgers or whatever goddam sport they're always talking about, or their goddam cars they manicure all the time or what their stupid goddam wives bid in their stupid bridge games or how much they pay for hamburger or whatever in the hell they grill in those buckets out in their back yards or how much they pay for dancing school for their snot-nosed daughters or if daddy coaches little league for their brainless snot-nosed sons, or. . ."

Suddenly, for no evident reason, he stopped talking. He fumbled the cigarette to his mouth and puffed on it.

"Well!" his wife said after a moment's silence. "Well! That takes care of *us* in the neighborhood. *Everybody* on the block must have heard you!"

"Serves em goddam right." He puffed rapidly at the cigarette, and squinted his eyes half-shut in a smug and canny look.

"Well!" his wife said again. "That certainly does do it! Now I'll *never* be able to look them in the eye." She started to weep once again.

"They ought to have more than one eye," he said. "All those people and just one eye."

She didn't hear what he said, because she was now making the sound of a distant electric shaver.

"Of course, I'm not surprised," he said. "They can't see anything beyond their car and barbecue grill — if that's what they call those buckets — and their goddam lawn. All you need is just one eye when that's all in the hell you care about. That and the goddam stupid St. Louis Dodgers. And the goddam programs with doctors and spies walking around acting like God almighty."

"Oh, you're so intellectually superior," she said.

"And I forgot the cowboy shows.

All these idiots in the neighborhood are good guys with shiny new cars. I forgot that."

"The only reason you resent the attention they give to their cars is that you're just too lazy to even wash ours. And too cheap to take it to a car wash. And you say we can't afford to buy a better car. You *know* Daddy'd give us a good price on a newer one from his lot!"

"You're quite a psychiatrist, aren't you?" Ned said suddenly. "You know, I've never realized before what a wonderful psychiatrist you are."

"Oh, shut up!" she said, and started to weep again. "You make me wish I were dead."

"Well, why don't you take the hint, for Christ's sake? Promises, promises, that's all I hear!"

He honestly thought that was kind of clever. He went to the screen door, opened it, and flung his cigarette cartwheeling out into the lawn. A little skyrocket of fire for the ever-watching neighbors to enjoy. Another Fourth of July.

He stared at the lawn a second, and then turned back into the house.

"Well, are you still hanging around?" he asked.

She screamed in a high wail of hysteria and ran upstairs. Ned heard their bedroom door slam, then the baby start crying, and the door whapping open again as Polly Sue thumped down the hall to the baby's room. After a minute or two, he heard the crib start to shake back and forth as she tried to coax the baby back to sleep.

She lay in bed, stiff with anger and anxiety — vowing that she would leave him tomorrow and sue for divorce. And if he had the gall to come to bed with her tonight, she would get out of the bed and go downstairs to sleep on the sofa.

It was all over between them, and she had no more tears to give her grief.

She turned on her bedside lamp and looked at the clock. It was five minutes until three. She couldn't hear him downstairs any longer. He was a restless reader . . . he would never read over ten or fifteen minutes, before he would have to get up and walk around, still carrying his book and losing himself in it, the way other men watch baseball on TV or talk about cars and normal things like that. He would move about the house reading like a sleepwalker, looking like he had to raise a belch, never

answering her questions at such times . . . just bumping into things and turning pages.

It must have been about three o'clock when she heard the repeated, shimmering call of an owl in one of the big trees in back. The blackness was intense, because clouds had curtailed the sky, promising a cooling rain.

Suddenly, the silence of the night was burst by the sound of a power mower starting up. Then she heard the heavy drone as the mower was guided across their back lawn, guided beyond a doubt by Ned, who couldn't possibly have seen his hand before his face, it was so dark.

She ran to the window and pulled the venetian blind cord. Naturally, she couldn't see anything, but she couldn't help *trying* to see, by crowding up next to the screen and peering out into the darkness through a little tent made by her hands.

By the time she got to the window, she could tell that he had moved over into the Johnson's yard, next door, and was pushing the snarling mower around in their lawn. Good Heavens, what was he doing? He might have sliced off some of the roses in Mrs. Johnson's flower border. The man was absolutely crazy!

Then the sound of the mower was still farther off, perhaps even as far away as the Tabor's house, beyond the Johnson's.

At that instant, the Tabor's powerful backyard lights flashed on, revealing Ned mowing diagonally, and at a brisk rate, back toward the high maple trees that bordered the rear of their lots.

Suddenly, he turned the mower around with a swift, reckless sweep and started trotting with it directly toward the Tabor's house, as if he intended to run it down. His mouth moving open and shut, and she knew he was probably singing some dirty song at the top of his voice, the way he had done several times before after she had finally gotten him to mow their own lawn. Although he said nobody could hear him singing, she was always afraid some of the neighbors could read lips.

Now Ned was shoving the mower right into the bushes that bordered the Tabor's property and the old retired couple's property next to it . . . she couldn't think of their names for a minute — wait, it was the Hemsley's. They had also flashed their backyard lights on. Polly Sue

couldn't see Ned by this time, but she could imagine what the Hemsley's thought of him out there, zig-zagging crazily through their lawn at three o'clock in the morning, drunk and singing bawdy songs.

The last straw! The Hemsley's were wealthy, and Mrs. Hemsley had once commented that she had never seen Ned in church, and Polly Sue had felt her face burn with shame, as she mumbled something about his love for reading. "The Bible and inspirational things," she had added, telling a white lie, because Ned had once shocked her terribly by saying that the Bible was the biggest and filthiest pack of lies that had ever been collected.

Now what would Mrs. Hemsley think? Polly Sue ran downstairs and went outside on their darkened patio so she could see better.

Stangely enough, no one dared to come outside. They would just switch on their lights as Ned pushed his power mower every which way through their lawns — spoiling the mowing pattern of each lawn, and slipping off showers of daisies and nasturtiums and roses and barberry everywhere he went.

She knew that every time he pushed the thing into twigs, little fragments of wood must be shooting out like bullets from the powerful rotary blades. And she found herself praying that one of them would strike him in a mortal spot.

But none did. And Ned's sojourn through his neighbors' yards ended at about 3:18 when a police cruiser came up and two policemen arrested him for disturbing the peace, while Ned argued with them about freedom of speech and civil rights in general. One of the policemen brought the power mower back to Polly Sue, and she wasn't able even to look him in the face.

She cried all that night, she was so humiliated.

She and her baby went to live with her mother and father, who was a prosperous used-car dealer in a nearby small town. He was a redfaced man with a mustache and a gift for angry opinions of a conservative nature.

Polly Sue had always been awed by her father, who had loved to spend his evenings at home when she was a child, telling her mother the things he had said to people during the day to straighten out their opinions. He had once read a



book on economics, written by a retired Army officer, and he took the book with him to his car lot.

Polly Sue's father had a way of signaling for silence by a swift intake of breath that could interrupt the loudest conversation. Polly Sue and her mother heard it frequently after Polly Sue and her baby returned.

Usually Daddy said, with reference to Ned: "I could never understand how anybody could be such a nut!"

Polly Sue and her mother would nod silently and respectfully. Because if Daddy couldn't understand, the matter was clearly incomprehensible. And if Daddy called someone a "nut" — the strongest and most insulting term in his vocabulary — that person was hopeless. He used the word for Communists, Washington spenders, modern artists who wore beards, foreigners, Negroes, Jews, Catholics, Protestants, atheists, liberals, literary people, pacifists, one-worlders, people who bought English cars, people who rented cars, people who didn't keep their cars washed and waxed, etc.

"I can't understand why you had to marry a nut," Daddy would say, cracking his paper open and chewing on his teeth. When he did that, his thin mustache would wiggle like a strange little insect. It had always fascinated Polly Sue; it was one of the little things she loved about Daddy.

"Now, Daddy," Mother said. "Everybody makes a mistake sometime in their lives. It's just human nature. And that fella" — this was the only way she could bear to refer to Ned — "was Polly Sue's mistake."

Daddy lowered his paper and thought a minute. "You know," he said in a slow and judicious voice, "That's the truth. Everybody makes a mistake in their lives. It's just human nature."

One day the veneer of Polly Sue's happiness was chipped somewhat by her receiving a telegram from Ned, who was working on a railroad section gang in Montana.

"Congratulations," the telegram said, "You have just given birth to a one hundred and eighty pound baby."

That's all it said. Daddy was so angry he called up Western Union, demanding to know what they meant by letting some nut send such a wire. All the man told him was that there weren't any objectionable words in

the wire, and Daddy slammed the receiver down and said to Polly Sue: "Actually, there weren't any objectionable words in the wire, when you come to think about it."

"That's true," she said. "But it's so *wacky*. It's just like him to do something like that. And *you* know. . . ." Polly Sue stopped and made a futile gesture of dismay.

"Well, it can't be helped now," Mother said, repeating her favorite consolation.

Later that day, Polly Sue asked her Daddy how much he weighed, and he told her 176 pounds, dripping wet.

The next telegram from Ned said, "Congratulations to your mother on her golden wedding anniversary."

"Why, Mother, you've only been married twenty-seven year," Daddy said.

"I know it," Mother said, with a worried look on her face.

Daddy called Western Union again, but the man there said that *they* didn't have any way of knowing how long a woman had been married. He said that they didn't know Mother, or they would have undoubtedly realized that she wasn't that old.

Daddy took a deep breath, but Polly Sue and Mother were already listening. "You know," he said. "These fellows at Western Union don't have any way of checking on the ages of people. They just get a wire like that, and they suppose the person is as old as the wire says."

"Why that's right," Mother said. "I don't blame those fellas at Western Union. It's the other fella I blame."

"Oh, I hate him," Polly Sue said. "You just don't have any idea."

"He's a nut, all right," Daddy said. "But that's all right, Polly Sue. Everybody makes one mistake in their lives." He patted her shoulder as he said this, and looked at Mother, who nodded at him slowly with her eyes closed.

Then the wires began coming just about every week, each one crazier than the last. "Plug up the leaks," one of them said, "the State is sinking." Daddy called Western Union, of course, and the man there said he thought the wire might have been in some kind of code.

"You know," Daddy said, after hanging up the receiver. "He's kind of a nut, that fella down there at Western Union."

Other wires from Ned were poetic, such as "The boy stood on the burning deck, a used car in his hand."

"Drunk," Daddy said, when he read that one.

"He certainly is a nut," Mother said, feeling cozy and agreeable because she had used Daddy's word.

Daddy thought a minute, and then said: "Yes sir, he's a nut, all right. A *drunken* nut!"

Soon after that, Daddy tore up the telegrams as they arrived, his mustache twitching. Mother and Polly Sue pieced the telegrams together, however, after Daddy left for the used-car lot, and read them.

They stopped coming soon afterwards. And Daddy had the idea that Ned had "moved on," although he didn't clarify what he meant by that.

Polly Sue, however, pictured her ex-husband as a tramp, riding the freights out west. Or she pictured him with a power mower, roaring through the states, cutting down all the things he hated: ranch houses, mortgages, telephone poles, wisteria bushes, normal people, soft drink plants, public schools, potato chip factories, electric fences, college students, service stations, ministers, old ladies, billboards, used car lots, churches and Savings and Loans establishments.

But Polly Sue never heard from Ned again. Not even a telegram. And she was extremely happy at home with Mother and Daddy.

Only sometimes she would cry at the terrible mistake she had made in once marrying a fella like Ned, and Daddy would pat her on the shoulder and gaze in the distance, saying: "Never mind, Polly Sue. Honey. Everybody makes one mistake in their lives."

Daddy, Mother, Polly Sue, and her little baby lived happily ever after. And just about the only time Polly Sue ever thought of Ned was once a week, during the summers, when Daddy tenderly mowed their lawn with his shiny, well-kept power mower, whether the grass grew or not.

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## Martial Law at Warrensburg

Spring fever," blustered Dr. Warren C. Lovinger, president of Central Missouri State College at Warrensburg. "Right of assembly and free speech," answered the students.

There might have been some spring frolicking in the recent campus disturbances by an estimated 200 to 1,000 students. But the angry mood, the picketing, the sit-ins, the boycotts had little to do with panty raiding.

Dr. Lovinger protests that there are many channels of communication with the students. It strikes us as odd that he didn't take advantage of those channels after the disturbances. Instead, he issued ultimatums. He prohibited the use of cars after 10:45 p.m.; he outlawed the gathering of five or more students; he suspended twelve students; and, later, wrote to the parents of his students that the unrest was caused by "certain outside groups with some leftist leanings." When asked to identify the "leftist" groups, he gave the sterling answer "some things you know but cannot prove."

The punitive restrictions had to be rescinded after a few days. The twelve students, however, remain suspended.

Six of them are now represented by the Greater Kansas City Civil Liberties Union. A review of the activities of the suspended students represented by the Committee raises serious doubts that they are the "ringleaders." The suspended students were used as examples to intimidate the campus population.

One of the suspended students, to give one example, is the only one of nine children in his family who managed to get to college. He is financing his own education. He has never been in trouble with the police. Whatever the quality of education under Dr. Lovinger, this is his one chance. Why was he suspended? He carried a dummy which was made to resemble Dr. Hollis L. Chalquist, dean of men, for about ten feet on private ground (off campus) before other students took it.

The following day, he was called into the office of Dean Chalquist and accused of participating in and inciting a riot. In his presence, Dean Chalquist told Dr. Lovinger that he should be suspended. Dr. Lovinger agreed. The student was suspended.

No witnesses. No formal written charges. No hearings. Just a dictatorial decision by an offended college official. Thus is the future ed-

ucation of a student decided at a Missouri state university.

The students, contrary to Dr. Lovinger's contention and that of Dean Chalquist, have very legitimate complaints. Student criticism is suppressed. Cars are searched without consent. On or off campus, student housing is severely circumscribed in order to "have some control of them." The threat of probation or suspension from school is freely used. The draft board is notified in case of disciplinary probation. Discipline is harsh and inconsistent. A big-brother system uses one student to evaluate fellow students in dormitories; these "resident assistants" also can search student rooms at any hour of the night or day. Silly rules forbid women to iron men's shirts and to wear slacks on campus — except after 4 p.m. Sunday.

As president of the CMSC chapter of the American Association of University Professors, Dr. Edwina Godfrey recommended revision of many disciplinary procedures. The AAUP demanded that students be informed in writing of disciplinary action; that they have an adviser of their choice, that adverse witnesses should be identified and questioned; that procedures should be conducted before a duly constituted hearing committee; and that the University must prove the violation.

The group also urged clarification of vague rules, such as "participation in mass gatherings which might be considered as unruly or unlawful will subject a student to possible immediate dismissal from the College" and "Conduct unbecoming a student which reflects adversely upon himself or the institution will result in disciplinary action."

Meanwhile, the campus physician has resigned, charging that the administration insisted on breaking the confidence of the students' medical records and that he was not permitted to issue birth control pills to married couples.

The pattern of behavior by college officials at Missouri's state colleges is foreboding. The disturbances at Lincoln University, at Central Missouri State College, and the rumblings at the University of Missouri at Columbia, all portend underlying dissatisfactions which deserve the attention of the Governor. Students at state universities are entitled to standards of due process without having to fight for them.

If the school administration will not act, and the Governor cannot act, we applaud the intention of the Greater Kansas City Civil Liberties Union to take the suspension of the students and, thereby the matter of student rights, to the courts.